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MONACENSIS.

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Wale delin.

Prompted by fatal Lust of baneful Gold,
The Villain's Crime and Punishment behold;
And while destruction's dreadful Road you see,
The Crime detest, and shun the fatal Tree.

Proud sculp.



G E O R G E, R. /

GEORGE the Third, by the Grace of God, King
of Great-Britain, France and Ireland, Defender of
the Faith, &c.

To all whom these Presents shall come Greeting.

WHEREAS our trusty and well-beloved JOHN
COOKE, of Pater-noster-Row, in our City of
London, Bookseller, hath humbly represented to Us, that
he hath been at very great Labour and Expence in col-
lecting Books and Manuscripts, and in employing divers
Persons to write and compile a WORK, intituled, The
Tyburn Chronicle; or Villainy Displayed in all its
Branches: Containing an authentic Account of the Lives,
Adventures, Trials, Executions, and last Dying Speeches,
of the most notorious Malefactors of all Denominations,
who have fallen a Sacrifice to the just and equitable Laws
of their Country: The whole being the most faithful Nar-
rative ever published, of the various Executions and other
Punishments, in England, Scotland, and Ireland, from
the Year 1700 to the present Time; accompanied with
proper Reflections arising from the several Subjects:
Which Work he humbly apprehends will be of the utmost
Advantage to our Subjects in General, and more especially

to

The King's Royal Licence.

to the Youtb of these Kingdoms; as by exhibiting the Gradations of Vice, and shewing the Picture in its native Deformity, it will effectually advance the Cause of Religion and Virtue. We being willing to give all due Encouragement to this Undertaking, do therefore, by these Presents, so far as may be agreeable to the Statute in that Case made and provided, grant unto him the said JOHN COOKE, his Executors, Administrators, and Assigns, Our Licence for the sole Printing, Publishing and Vending, the said Work, for the Term of fourteen Years; strictly forbidding all Our Subjects within Our Kingdoms and Dominions, to reprint, abridge, or publish the same, either in the like or any other Volume or Volumes whatsoever; or to import, buy, vend, utter, or distribute, any Copies thereof, reprinted beyond the Seas, during the aforesaid Term of Fourteen Years, without the Consent or Approbation of the said JOHN COOKE, his Heirs, Executors, or Assigns, under their Hands and Seals, first had and obtained, as they will answer the contrary at their Perils. Wherefore the Commissioners, and other Officers of Our Customs, the Master, Wardens, and Company of Stationers, are to take Notice that due Obedience may be rendered to Our Will and Pleasure herein declared. Given at Our Court at St. James's, this Thirteenth Day of May, One thousand seven hundred and sixty eight, in the Eighth Year of Our Reign.

1768

By his Majesty's Command,

SHELBURNE.

PREFACE.

ENTERTAINMENT, joined with Instruction, should be the great aim of all writers; and the author who consults not the methods by which to blend the useful with the agreeable, will find, to his sorrow, that he has laboured in vain. A book, in which amusement alone is consulted, is below the notice of a reasonable creature: and a mere dry system of argumentation, or a dull recital of uninteresting facts, will meet with the contempt of every reader.

In the present work we have laboured to steer clear of both extremes; selecting, on all occasions, what was best and fittest for our purpose, and rejecting such matters only as our readers, on the perusal, would otherwise have wished we had rejected.

Besides the many valuable manuscripts with which the compilers of these volumes have been favoured, they have one advantage over all their predecessors; the great advantage of publishing last: every thing worth our notice that has been heretofore printed, has been examined with care, and the essence of all the other

other books of this kind extracted for the embellishment of our own.

If we reflect on the strong propensity of mankind to evil, and on the force of bad examples, we shall be at no loss to account for the great number of executions which disgrace our age and nation: but let it be remembered, that the path of vice, however pleasing to the view, is encumbered with the thorns of anxiety, and is sure to *end in destruction*.

If we consider the deplorable fate of the many wretches who have fallen a sacrifice to the indulgence of irregular passions, we shall be apt to blame the negligence of parents, in not guarding their children, by all the means of instruction and example, against the first attacks of vice.

This work is therefore offered to the public, and especially to the younger part of the world, as a *warning-piece* to avoid the fatal snares by which others have been deluded.

If young persons would but consider the unhappy consequences of deviating from the plain paths of virtue; if they would but seriously reflect on the long train of miseries that are the necessary consequences of a life of vice and debauchery, one would imagine they should want no other inducement than their own safety, to engage them to pursue, with steadiness and alacrity, that course of life which will infallibly lead to happiness both here and hereafter.

But as people in general do not give themselves the trouble to think seriously, and draw
rational

rational conclusions for their own benefit, and as example is more prevalent than precept, we have in this work exhibited so many various instances of the delusive charms of vice, that the reader who does not see and acknowledge the superior force of virtue, must be dead to all manner of reflection, and wholly lost in sensuality.

It has been objected to the severity of the English Laws, that a mere deprivation of the property of an individual, is not a crime atrocious enough to deserve a public and ignominious death: without entering into this argument, and leaving the framing our laws to the wisdom of the Legislature, we will only observe, that if a young thief is not cut off in the beginning of his career, he generally grows up into a hardened sinner, and the gallows at length ends his days, when he has done ten times more mischief to the community than he otherwise could have done; besides, if we suppose that only one person is terrified from the pursuits of vice, by the force of his being made a public example, we must own that his death was a real benefit to the Community.

It has been said that the crime of Forgery is not less frequently practised at present, than it was before the Act of Parliament which made that crime capital; yet if we consider the increasing poverty and the increasing depravity of the times, we cannot but own that if Forgery was not *now* a Capital offence, we should in all probability have many more instances of
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the commission of that crime than we have; a crime, which, as it strikes at the root of Trade, ought to be most severely punished in a trading nation.

With regard to the Execution of this work, we have only to observe, that it is freed from those numberless and tedious repetitions with which books of this nature too much abound, and that the whole is thrown, as near as possible, into the form of a pleasing narrative: In some instances however, the narrative stile could not be adopted, for in the depositions of the witnesses in some trials, particularly in those for Rapes and Privately-stealing, there is something so singular, and in some cases so *ridiculously diverting*, that it would have been depriving our readers of great pleasure, to have given these accounts in any other Words than those of the deponents themselves.

We flatter ourselves that his MAJESTY'S Authority will be no disrecommendation to this work, especially as it is printed and embellished in such a manner as not to disgrace the ROYAL SANCTION.

T H E

Tyburn Chronicle.

*Account of the Life and Trial of JOHN LARKIN,
who was executed for High Treason.*

AT the sessions held at the Old Bailey on the 5th of April, 1700, *John Larkin*, alias *Robert Young*, was indicted for high treason, in counterfeiting the current coin of this kingdom; and the evidence being clear against him, the jury found him guilty of the indictment, in consequence of which he received sentence of death.

This person was born at Antrim in Ireland, of very creditable parents, who observing that their son possessed a very considerable share of genius, took some pains to cultivate it by a liberal education.

When he had been some years at school, and obtained a competent knowledge of several arts and sciences, he was entered as a student in the university of Glasgow, in Scotland, where he went through his studies with applause, and then returning to Ireland commenced schoolmaster, in which station he behaved himself so well, that he met with the greatest success: but being of an unsettled disposition, he left his school, and taking upon him the gown, visited the

remotest parts of the kingdom, and officiated in several places as a clergyman.

After some time he came to England, and was made master of a free-school in Lancashire, where he had about an hundred scholars under his care; but he was so bad an œconomist, that he could by no means live within the bounds of his income, and was therefore frequently contriving some new methods by which he might support his extravagance.

At length he came to a resolution to forge bonds and other papers, in which pernicious practices he became so great a proficient, that he said he could forge almost any hand so artfully, that it would be difficult for a person to know his own hand writing from the forgery.

He acknowledged that he had frequently affixed the hand of a bishop and several other eminent divines to letters testimonial, by which he had collected considerable sums of money, under pretence of redeeming poor christian captives who were in slavery.

He used also to forge goldsmiths notes, and bills of exchange; and continued these practices for a considerable time, but being at length detected, he was impilloried, and committed to prison till such time as he should discharge a fine which was imposed on him; and which was so large that he had little or no hopes of regaining his liberty.

While he remained in prison, some persons, who were afterwards evidences against him at his trial, used to coin money, and endeavoured to prevail upon him to assist them; but he declared that he constantly refused to do it, that he never shared any money with them, and had no farther concern than merely as a spectator: but as the contrary to this had been so positively sworn, the Ordinary of Newgate suspected his sincerity, and urged him to make an ingenuous confession: to which he replied that he knew his duty extremely well, though he had acted contrary to it; but

but if it should be his fate to die, he would, at the place of execution, discover something which might be a warning to several persons who had been concerned in the like wicked practices with himself.

At the place of execution he informed the Ordinary, that being confined in Newgate with one Charles Newey, who was convicted of felony, and had been fined and impilloried for suborning an evidence to swear falsely, he was prevailed upon by Newey, in consideration of a sum of money, to write a scurrilous libel, called "the Case of Captain Charles Newey," containing very notorious falsehoods, and scandalous reflections on the Lord Chief Baron, the Recorder, and other judges who tried the said Newey: for which he now sincerely begged pardon of those gentlemen.

Having made this confession to the Ordinary, he turned to the people, and in a very earnest and pathetic manner begged they would take warning by his punishment, and shun those crimes for which he was there made a public sacrifice to the laws of his country. After prayers he took a decent leave of the spectators, and having returned thanks to the Ordinary for his charitable visits to him while under condemnation, he delivered him a paper, the substance of which is as follows.

That being truly sensible that the numerous offences he had committed had justly drawn down the vengeance of Heaven upon him, he thought it his duty to make all the reparation in his power, by leaving the world a true narrative of all his irregular proceedings: but not having time sufficient to complete such a work, he mentions only the following circumstances.

He says that he was concerned in a pretended plot, supposed to have been carried on by the Earls of Marlborough and Salisbury, the Bishop of Rochester, and several others, for which he was committed to Newgate till he should discharge a heavy fine.

While he was in Newgate, one Henry Pearson, who was committed to the same place for debt, observing how very expert Larkin was in counterfeiting of hands, told him that if he could contrive a sham plot, and father it upon those noble lords, he might soon obtain money enough to pay his fine: that being at that time in low circumstances, he readily agreed to the proposal, but told Pearson that nothing could be done in the affair till he obtained his liberty, which soon after happened.

When he was at liberty, he employed one Blackhead to carry letters between them; and having got sight of the Earl of Marlborough's hand, he counterfeited it with so much dexterity, that it was very difficult to discern the true from the false. This being done, he drew up an association, to which he affixed the names of the earls of Marlborough and Salisbury; and those of several other persons of distinction were written by another hand. That the greater credit might be given to this pretended plot, Larkin wrote several letters in Lord Marlborough's name, supposed to be directed to himself, which Blackhead used to bring to him again; yet Blackhead swore before the lords of the council, that the Earl had sent them to him, though he knew that Larkin forged them, and ordered them to be sent in that manner.

Larkin declares that he neither set the Bishop of Rochester's nor the Lord Cornbury's hand-writing to the paper, yet acknowledges that it was done by his appointment. He declares himself innocent of the charge of having written threatening letters to the Bishop of Rochester, or being any ways concerned in the same.

He says, that though he was not guilty of the crime of coining, (for which he died) yet, that he had committed so many forgeries, cheats, &c. that it was almost impossible to recount them. He owns that in the year 1695, being at that time in the King's Bench prison,

prison, he procured himself to be removed by *Habeas Corpus* to the Fleet, where, in conjunction with several other prisoners, he defrauded one Mr. Lashby, of Leeds in Yorkshire, out of cloth to the value of 135 *l.*—that in 1697, the Warden of the Fleet removed him back to the King's Bench; where, by the advice and assistance of several other prisoners, he endeavoured to cheat Mr. Lofthouse, a goldsmith in Fleet-street, and Mr. Machiels, a merchant of Amsterdam, out of 2000 *l.* but the scheme failing, John Cary, one concerned in the plot, was impilloried for the same.

After this, Larkin forged leases as under the hand of Dr. Thomas Lamplugh; besides which, he cheated different persons out of several hundred pounds, under pretence of mortgaging estates: and in the year 1698 he cheated Mr. Reynolds, an undertaker, of a velvet pall, two cloaks, &c. by means of a forged letter, as from a correspondent in the country, and being tried for this offence at Guildhall, he was fined two hundred marks, and sentenced to be imprisoned in Newgate.

This malefactor was executed at Tyburn on the 19th of April, 1700.

Account of the Trials and Execution of MICHAEL VAN BERGHEN, CATHERINE VAN BERGHEN, and GERRARD DROMELIUS, for the Robbery and Murder of OLIVER NORRIS.

AT the sessions held at the Old Bailey on the 24th of June 1700, *Michael Van Berghen, Catherine Van Berghen, and Gerrard Dromelius*, were indicted for the robbery and murder of *Oliver Norris*.

A person who lived in the neighbourhood of Mr. Van Berghen, deposed, that on the morning after the murder

murder of Mr. Norris, going to the back part of his own house, and looking at the water in a ditch which ran out of the Thames into St. Catherine's, he saw the toe of a boot above the surface of the water; upon which he got a pole with a hook upon the end of it, and raising up the boot, perceived, above the upper part of it, a scarlet stocking; and finding that the whole was the body of a man, he got assistance to take it out, which being done, they found that the throat was cut in a shocking manner, and that the coat and waistcoat had been taken off the body.

Some other evidences deposed that when they heard of the finding the body, they went to view it, and to try if they could discover any droppings of blood, by which the place where the murder was committed might be discovered; but finding none, they recollected that being up very early that morning, they had met Michael Van Berghen and Gerrard Dromelius coming from that part of the common-sewer where the body was found; and that they had observed a light carried from place to place in Van Berghen's house.

Some of the neighbours deposed, that on the night the murder was committed, they heard a great noise in Van Berghen's house; upon which, they the next morning took with them a proper officer, and searched the house, but found nothing to give them any suspicion, except a little blood behind one of the doors of a room which appeared to have been lately mopped: they then enquired for Gerrard Dromelius, but could learn nothing more than that he was gone from thence; upon which they secured Michael Van Berghen, his wife, and the servant maid; and a waterman informing them that not long before he had carried Dromelius over the water with a hamper to Rotherhithe, they sent persons in search of him, who soon discovered the place where he had taken lodgings, and found the hamper, which contained a coat, waistcoat,

waistcoat, hat, wig, &c. all very bloody, and which appeared to have belonged to the deceased.

Van Berghen's servant maid deposed, that on the night of the murder, Mr. Norris came to her master's house, disguised in liquor, about eight o'clock, and continued drinking wine till eleven, when he desired to have a coach to go home, and growing very importunate, her mistress at length bid her go for one, but at the same time whispered her to return and say she could not get a coach: this she did, upon which Mr. Norris insisted on going without one, and went out of doors, but soon returned, and told her mistress he had lost his money there, and would have satisfaction: that he talked so loud, and in such an angry manner, that several persons who were passing by the door took notice of it; upon which her mistress desired him to walk into the room, telling him that he should have satisfaction: after this, high words arising between Mr. Norris, and her master, mistress, and the drawer, her mistress bid her go to bed, which she accordingly did; and when she was there she heard a bustling below stairs, but knew not what was the matter: that when she had been some time in bed, her mistress came into her room with a candle, and took away a hamper which was there: that she would have got up, but her mistress desired her to lie still: that she arose early in the morning, and found the room in which she left her master, mistress, Mr. Norris and Dromelius, had been newly washed, which Mrs. Van Berghen had never been used to do herself: that her mistress directed her with a pail and mop to wash a bench at the door, on which she saw some blood. She farther said, that she enquired what was become of Mr. Norris, but her mistress bid her hold her tongue, and say nothing about him, for their lives were all in her (the maid's) power: she likewise asked for Dromelius, and was told he was gone.

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The fact was positively denied by all the prisoners, who declared that Mr. Norris went away about eleven o'clock, and they knew not what became of him afterwards: but the jury having considered all the circumstances of the evidence, found them all guilty of wilful murder, and sentence of death was accordingly passed upon them.

Some time after condemnation, and when all hopes of a reprieve were vanished, Gerrard Dromelius declared to the Ordinary of Newgate that he himself committed the murder, and mentioned the following circumstances: that Mr. Norris being resolved to go to an Inn where he lodged near Aldgate, his master ordered him to conduct the gentleman thither, as he was very much in liquor: that soon after they were out of the house, Mr. Norris went into an adjacent broken building to ease himself, and that he there gave him very angry words, and attempted to draw his sword upon him; upon which he (Dromelius) closed with him, wrested the sword out of his hand, and gave him several stabs with it: that while Mr. Norris was in this condition, groaning for life, he heard a watchman coming along, and fearing a discovery, he drew a knife, and put an end to his groans by cutting his throat.

In answer hereto the Ordinary said that this account of the matter was very improbable, for if the murder had been committed where he said it was, there would have been blood seen at the place, and if the wounds had been given while the cloaths were on, there would have been holes in the cloaths, which was not the case. Dromelius said that there might be holes in the cloaths, though they were not observed, that there was a great deal of blood near the place where the body was found, (though none was seen) and that there would have been more if he had not tore the gentleman's shirt, and put it into the bleeding wounds: and he absolutely insisted on it

it that he alone was guilty of the murder, and that his master and mistress were altogether ignorant of the matter.

The Ordinary asked him what he could propose from taking the whole blame upon himself, as it could be of no service either to his master or mistress, since they were condemned to die upon the strength of the evidence; and told him he was guilty of a horrid crime in denying the truth; adding, that the familiarity that there appeared to have been between him and his mistress, might influence him to make this declaration with a view of saving her life.

This discourse made him weep and groan bitterly, but produced no alteration in his story: he acknowledged that he had been too familiar with his mistress, which he seemed to lament, and wished he had a longer time for repentance. The Ordinary now charged him with his vile treatment of the memory of the deceased, in declaring that he would have committed the detestable sin of sodomy with him, which was the reason that he fought and killed him: this, however, Dromelius publicly declared to be a mere contrivance of his own, to make his guilt appear the less odious.

When they came to the place of execution, Van Berghen and his wife behaved with decency, praying to God, and desiring the prayers of some ministers of their own country, as well as others who attended on them; and Dromelius being again asked concerning the murder, would give no other account than what he had before given; but he desired the people to take example by him, and studiously avoid all vices, and particularly the indulgence of violent passions, which he said had brought him to that untimely end.

Michael Van Berghen not being able to express himself intelligibly in English, spoke in Latin. He absolutely denied that the murder was committed in

his house, or that he knew any thing of it: hereupon the Ordinary reminded him that it had been positively sworn on his trial, that he and Dromelius were seen early in the morning, coming from the common sewer where the dead body was found; but he still persisted in denying that he had any concern in the murder, and could be only brought to own, that immediately after the fact was committed, Dromelius informed him, as he lay in his bed, that he had wounded the gentleman, and desired him to assist him in his escape; but that when he learnt that the gentleman was really murdered, he gave money to some persons to pursue the murderer, in order that he might be brought to justice: yet on his trial he produced no witnesses to prove this circumstance, which, if true, would have been a great argument in his favour.

Mrs. Van Berghen likewise protested, in the most solemn manner, that the murder was not committed in their house, nor did she know any thing of it till some time after it was done. She declared that Dromelius came up stairs into the room where they lay, and said that he had murdered the gentleman; upon which she went for the hamper to put the bloody cloaths in, and assisted the drawer in his escape; in which she said she had done nothing more than what was customary in Holland.

They were executed in East Smithfield, near the place where the murder was committed: and soon after the execution the body of the woman was buried, but the two men were hung in chains between Mile-End and Bow.

*Account of JOHN SIMPSON, who was executed for
House-breaking.*

JOHN SIMPSON having, in the year 1698, been convicted of a burglary and transported, soon found means to get back to England, where he followed his old practices, for some time; but being apprehended, he was indicted at the Old Bailey on the 4th of July 1700, for breaking open the dwelling house of Elizabeth Gawden, and stealing two feather-beds, and other things; and pleading guilty to the indictment, he received sentence of death.

He said that he had been guilty of more robberies than he could recollect, and that he had robbed on the highway, as well as broke open houses. He declared that while he was a soldier in Flanders, it was his frequent practice to rob the officers tents, and that once he robbed king William's tent, from which he took about a thousand pounds.

He said he had committed so many robberies both in England and Flanders, as to have obtained the name of "Captain of the robbers;" but more particularly in Flanders, where he said the gates of the city of Ghent had been twice shut up within the space of a fortnight in order to apprehend him, and that when he was taken, they put irons about his arms, neck, legs and back, and in that condition carried him about the streets for a public spectacle.

He declared that it was his frequent custom to strip the Roman Catholics, as they went to mass at five o'clock in the morning; that he and two others had gone with drawn swords, and committed robberies even at the very altar; and when the mob had been

raised upon them, they have ran about the streets laughing, and defied them.

He robbed the church of St. Peter, in the city of Ghent, of plate to the value of twelve hundred pounds, though it had been an asylum for him at a time when he had been condemned for a murder; respecting which affair he mentioned the following particulars; that having killed a man in a quarrel, he was taken up, tried, and condemned; but finding means to break out of prison, he fled to the above-mentioned church, and in four days time the priests procured him a pardon: being thus become acquainted with all the avenues of the church, and the places where the plate was deposited, he soon afterwards stole it, and got away; however, he was taken up upon suspicion, but acquitted for want of sufficient proof against him.

He said that he had never murdered any person in the course of his robberies, but had killed four or five men in quarrels. He likewise added, that he was one of those who had broken out of Newgate the Christmas before; that he had been cast upon two indictments for felony, and that his true name was John Holliday.

The Ordinary suspecting the truth of the greater part of the abovementioned circumstances, said that he imagined he told him those things in order to be hereafter talked of; but he declared that all which he had confessed was absolutely fact. The Ordinary then expressed his wonder that he had not left off his wicked courses while he might have done it with safety, as he confessed that he had at several different times possessed large sums of money: but he said that he never had the power to make a right use of what he had procured by wicked and unlawful means.

He was then urged to discover his accomplices, that knowing themselves in danger, they might, through mere necessity, abandon their present infamous methods

thods of living, and endeavour to procure an honest subsistence; but this he scrupled to do, saying it was ungenerous to betray his friends and acquaintance: yet when he was told it was for their interest that such discovery should be made, he mentioned the names of several, both men and women, whom he exhorted to reform their lives without loss of time.

Being told that in justice to the public, he ought to declare if he knew any particular methods by which thieves used to get into houses, he said that their way was to stand upon each others shoulders to the number of three, and that the uppermost getting into the chamber window, used to strike a light, make up a bundle, and throw it out to his accomplices; and that about supper-time was thought the safest, as the servants were then usually engaged in attending the family.

He said that being weary of committing iniquity, he had no desire to live any longer: and that he had been in all probability as great an offender as ever lived; that he had been guilty of blasphemy, drunkenness, lewdness, sacrilege, robbery and murder. With regard to robbery, lewdness, and blasphemy, he said that he once thought them essential to his profession as a soldier; but that he was now of a very different opinion.

At the place of execution he declared his willingness to die, saying that death was more acceptable to him than a reprieve would be, for if he was again permitted to go abroad in the world, he should probably be guilty of such crimes as would destroy him for ever; whereas, by yielding his life a forfeit to offended justice, he had hopes of obtaining pardon for all his sins.

This malefactor was executed at Tyburn, in the fortieth year of his age, on the 20th of July 1700.

*The Trial and Behaviour of JOHN COWLAND,
for stabbing Sir ANDREW SLANNING, Bart.*

JOHAN COWLAND, Gentleman, was indicted at the Old Bailey, on the 5th of December, 1700, on three several indictments; the first was at the common law, the second on the statute of stabbing, and the third on the Coroner's Inquest, for the murder of Sir Andrew Slanning, Baronet.

The first evidence deposed, that as she sat in the pit at the playhouse, behind Sir Andrew Slanning, he fell into discourse with one of the orange-women, and told her that a friend of his had met with a woman at the playhouse, who had afterwards picked his pocket, used him ill, and taken five pounds worth of hair out of his wig; * on which the orange-woman told Sir Andrew, that she believed she could tell who the person was, and get back what he had lost for the expence of a guinea: Sir Andrew thanked her, and begged to have the pleasure of her company to drink a glass of wine as soon as the play was ended, to which she consented.

When the play was over, Captain Wagget went out first, and not knowing the way, fell down the steps; upon which they went out Drury-Lane way. Sir Andrew then asked her if that was the nearest way to the Rose-tavern, and she told him that it was not the nearest way, but they might go through vinegar-yard, in which place they met Mr. Cowland, who put his arm round her neck; upon which Sir Andrew desired he would be civil, saying she was his wife; but Mr. Cowland said he could not have two at once, and then

* The reader will please to remember, that sixty or seventy years ago, wigs bore a very high price to what they do at present.

they both drew their swords, but no pass was made, for the crowd drove them as far as the Rose-tavern, to which place Captain Wagget came, and desiring them to walk in, said he would endeavour to compromise the difference.

Sir Andrew and this deponent now went into the kitchen, where there was a violent dispute between captain Wagget and Mr. Cowland, who appeared to be extremely angry, and determined to resent the supposed affront; but at length, through great persuasion, they appeared to be reconciled, and asked Sir Andrew to go up stairs to take a glass of wine with them. Mr. Cowland went up first, and when he was about half way up the stairs, drew his sword and scabbard out of the belt: Sir Andrew and this deponent went up next, and captain Wagget last.

When Mr. Cowland came to the top of the stairs, he stabbed Sir Andrew in the belly, before he spoke a word, gave him the least provocation, or had even time to draw his sword. Sir Andrew finding himself wounded, cried out murder; on which, one of lord Warwick's gentlemen and two other persons ran up stairs, and immediately seizing Mr. Cowland, disarmed him of his sword, which was bloody on the blade about the length of five inches.

The above circumstances were confirmed by several other evidences, some of whom likewise deposed, that after the affair, Mr. Cowland desired to see Sir Andrew, which being at length agreed to, he took an opportunity of jumping down the stairs, and endeavoured to make his escape, but he was pursued and taken.

Other witnesses deposed that Sir Andrew was a very civil, good-natured gentleman, not at all disposed to quarrel, that he had an estate of 20,000*l.* a year, and was the last of all his family, which was now extinct by his death.

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The prisoner called several persons who gave him a good character, but had nothing material to urge in his defence; and the fact being plainly proved, the jury, though they acquitted him of the indictment at common law, and that on the Coroner's Inquest for murder, yet found him guilty on the statute of stabbing, and he received sentence of death.

From the first day of his confinement to his dying moment, the Ordinary says, he expressed the most unfeigned sorrow for this, and all his other transgressions. He was born of creditable parents, who put him apprentice to a goldsmith, and he spent the former part of his life in a sober and religious manner, regularly attending the public worship of God, reading the scriptures, and endeavouring to improve himself in divine knowledge; but unhappily leaving this course of life, he gave himself up to all the sinful pleasures of the world, which soon had such an effect, that his actions became every day more and more irregular.

He acknowledged that in his career of wickedness, his thoughts occasionally reverted to a sense of his duty, and he sometimes formed resolutions to return to the paths of virtue and religion: but his attachment to vicious pleasures was such, that he was unable to put his good resolutions in practice, so that he daily sunk deeper and deeper in sin, which in the end led him to commit the enormous crime, for which he was to fall a sacrifice to the injured laws of his country: and he professed an abhorrence for it, not so much because he was to die for it, as because it had rendered him odious in the sight of God.

This unhappy man, who appears to have been a sincere penitent, was executed at Tyburn on the 20th of December, 1700.

*Account of CAPTAIN KIDD, his Piracies, Trial
and Execution.*

CAPTAIN KIDD being charged with piracy committed on the high seas, was brought to his trial at a sessions of Admiralty, held at the Old Bailey on the 8th of May, 1701, and being legally convicted, received sentence of death.

Though the affair of Captain Kidd made a great noise in the world, the captain himself was in fact a very insignificant fellow; he was of an obscure birth, his abilities were mean, his appearance vulgar, and his manners in the highest degree brutal. He had spent the greater part of his life at sea, and for some years resided at New York, where he became master of a little vessel, in which he traded with the pirates, obtained a thorough knowledge of their haunts, and could give a good account of them. He was extremely willing to get money by the pirates, and would have been as willing to hang them for gain. Though not wholly destitute of courage, he did not greatly abound in it.

When among the pirates, he accustomed himself to live and talk as profligately as they did; but at other times he pretended to honesty, and frequently asserted, that it would be no difficult matter wholly to extirpate this wicked crew. This method of talking occasioned his being taken notice of by some eminent planters, who forming a more favourable opinion of him than he deserved, procured him the countenance he afterwards met with: but before we descend to particulars respecting this man, it will not be improper to mention the situation of affairs, previous to, and at the time of, his appearance in public life.

For several years successively there had been great and just complaints of piracies in the West Indies, which were but too much encouraged by the inhabitants of our plantations, for the sake of the profit made by purchasing the goods which were piratically obtained. In consequence whereof, the late King William, in the year 1695, appointed the Earl of Bellamont, Governor of New York and New England.

After his lordship was honoured with this appointment, and before he set out for his government, he began to enquire into the most proper methods for rectifying these abuses, and represented it to Colonel Levingston, a gentleman who had a considerable property in New York, as a matter that nearly concerned the honour and interest of the plantation. Hereupon the Colonel recommended to the notice of his lordship, one Captain Kidd, who was then lately arrived from New York, in a sloop of his own, as a brave and experienced man, who was acquainted with the haunts of the pirates, and therefore very proper to be employed against them.

His lordship approving of the scheme, and knowing how earnest the king was for the extirpation of those miscreants, mentioned the affair to his majesty, who, applauding the design, recommended it to the Board of Admiralty: but the affairs of the nation being then in a perplexed situation, and great difficulties found in manning the fleet, the board, though they approved of the affair, did nothing to advance it.

Colonel Levingston, taking care to inform himself of all that passed, and finding the matter neglected, applied to the Earl of Bellamont, and observed that as this affair would not well admit of delay, and the public could not then undertake it, it would be a laudable action in some persons of eminence to carry it into execution at their own expence. This proposal, though it met with approbation, was attended

tended with some difficulty : but it was at length agreed, that the Lord Chancellor, (then Lord Somers) the Duke of Shrewsbury, the Earl of Romney, the Earl of Oxford, and some other persons, together with Colonel Levingston and Captain Kidd, (who were to have between them a fifth of the whole undertaking) should raise 6000 *l.* for the expence of the voyage.

The king was so well pleased with the affair, and considered it as likely to produce such advantages to his subjects, that he offered to contribute to it; and therefore in the grant that was made, a tenth part of the goods taken from pirates was reserved to the use of his majesty; and the rest was to be divided among the persons concerned in fitting out Captain Kidd: but when every thing was adjusted, the king could not conveniently advance the money, so that the abovementioned gentlemen were obliged to bear the whole expence.

A commission in the common form was granted to captain Kidd, to take and seize pirates, and bring them to justice, without any special clause or proviso whatever. Kidd was acquainted with none of the adventurers but the Earl of Bellamont, who once introduced him to the Earl of Oxford, and another person took him to Lord Romney: as for the rest, he never saw them; and so little good management or secrecy was there in the whole affair, that he had no private instructions, only the Earl of Bellamont gave him sailing orders, in which he was directed to act according to the letter of his commission.

Towards the latter end of the year 1695, Captain Kidd sailed in the Adventure Galley, for New York, in his passage to which he took a French prize. From New York he sailed to Madeira; then to Bonavista, St. Jago and Madagascar, from whence he proceeded to cruize at the entrance of the Red Sea; but meeting with no success, he sailed to Calicut, and

took a ship of 150 tons burthen. This ship he carried to Madagascar, from whence he sailed again; and in about five weeks took the Quedah Merchant, a ship of 400 tons, the master of which was one Wright, an Englishman: she had on board two Dutch mates, and a French gunner, and the crew, consisting of about ninety persons, were Moors.

He carried the Quedah Merchant to St. Mary's, near Madagascar, where he shared her lading with his crew, taking forty shares to himself. His crew consisted of one hundred and fifty one persons, ninety of whom left him at this place, and went on board the Mocha Merchant, an East India ship, which had turned pirate.

Here Captain Kidd burnt his own ship, the Adventure Galley, and he and his crew went on board the Quedah Merchant, and sailed for the West Indies. Being denied succour at Anguilla and St. Thomas's, he sailed to Mona, lying between Porto Rico and Hispaniola; and there, by means of one Bolton, he got some provisions from Curassau, and purchasing a sloop of Bolton, in which he loaded part of his goods, he left the Quedah Merchant, with eighteen men in her, in the care of Bolton.

In this sloop he touched at several places, and disposed of a great part of his goods, and at length arrived at Boston in New England, where he was seized by the Earl of Bellamont, together with what goods he had left. It may seem strange that Kidd should venture to Boston, but he either had, or pretended to have, a notion, that the Quedah Merchant, being manned by Moors, was a lawful prize; though there was no proof that the commander of her, or his crew, had committed any piracy on the English, or on any other nation.

The Earl of Bellamont sent immediate advice to England of his having taken Captain Kidd, and desired that a ship might be sent for him. This was
instantly

instantly complied with; but the Rochester, which was the vessel sent for this purpose, being disabled, was obliged to return to England, which heightened the clamour that had been already raised about this affair.

As there can be no doubt but the source of this clamour was a private pique to particular persons, some violent men were induced to put a question in the House of Commons, that “ The letters patent, granted to the Earl of Bellamont and others, of the goods taken from pirates, were dishonourable to the king, against the law of nations, contrary to the laws and statutes of this realm, an invasion of property, and destructive to commerce.” Though this was carried in the negative, it did not hinder those who supported the question, from charging Lord Somers and the Earl of Oxford with countenancing pirates; and to give some colour to this ridiculous and improbable charge, it was no sooner known that the Rochester was returned, than it was suggested that the sending that ship was mere collusion, and that the Earl of Bellamont was as deep in the affair as the rest.

Hereupon a motion was made, and carried in the House of Commons, to address his majesty, that “ Kidd might not be tried till the next sessions of Parliament, and that the Earl of Bellamont might be directed to send home all examinations and other papers relative to the affair:” and this the king very readily promised.

It might have been reasonably supposed, that the return of Kidd to England, who was sent home with evidence sufficient to have hanged a dozen men, would have put a stop to the clamour raised about this affair: but the contrary proved to be the case, notwithstanding all the precautions used by the government to prevent it. Captain Kidd was sent for and examined at the bar of the House of Commons, where

where he made a very indifferent figure, and was, besides, somewhat intoxicated; on which, one of the members, who had been among the most forward to bring him down, could not help exclaiming in a violent passion, “ D—n this fellow, I thought he had “ been only a knave, but unluckily he proves to be a “ fool too.”

This scheme not having the desired effect, a report was industriously propagated, that on the day that Kidd was brought down to the House, he had a conference with the Chancellor, and several other lords, in the Earl of Hallifax’s dining room: but this, though supported by the depositions of several infamous people, was, upon examination, found to be a notorious falshood: yet notwithstanding this detection, it was resolved to impeach the Earl of Oxford, chiefly for being an accomplice with Kidd the pirate; and accordingly several articles were drawn, setting forth the supposed confederacy between them, wherein his lordship is not only charged with being the protector of Kidd, the owner of his ship, and one who gave him instructions for his voyage, but also with weakening the Royal Navy, in order to supply Kidd with sailors proper for his purpose.

These articles were agreed to by the House of Commons, on the 8th of May, 1701, the very day that Kidd was tried for piracy at the Old Bailey, where he was convicted, with several of his companions, and executed soon after: but he could never be prevailed upon to charge any of his owners with having the least concern in, or knowledge of his irregular proceedings.

Hitherto the conduct of Captain Kidd has been considered in a general light: let us now take notice of his private fortune, which was agreeable to his deserts; for being convicted with Gabriel Loft, Hugh Parrott, and Darby Mullins, he was ordered to suffer

fer death at Execution-dock, on the 23d of May, 1701.

Captain William Kidd was born in Scotland, and was about fifty six years of age. The Ordinary says, he found him unwilling to acknowledge the crime of which he was convicted, or declare any thing farther than that he had been a great offender, and lived without any due consideration of the mercies or judgments of God: he said, he heartily repented of all his sins, hoped for salvation through the merits of Christ, and died in charity with all mankind.

When Kidd was tied up, the rope broke, and he fell to the ground; and being taken up alive, was again tied to the gallows; on which the Ordinary desired leave to speak to him once more, which being granted, he represented the great mercy of God in giving him this unexpected respite, that so he might improve the few remaining moments in perfecting his faith and repentance; and his behaviour was such, that the Ordinary says, he left him with greater satisfaction than he had done before.

Account of DARBY MULLINS, who was executed with Captain Kidd.

DARBY MULLINS was born near Marlough-felt, about sixteen miles from Londonderry in Ireland, and was about forty years of age. He said he lived for some years in his own country, where he followed the plough with his father; but being kidnapped, he was carried to the West-Indies, where he lived with a planter for four years, and then turned waterman; after which he followed several other employments, in and about Jamaica, and when the great Earthquake happened there, he was preserved in a miraculous manner. After the earthquake he
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went to Kingston in Jamaica, where he built himself a house, and sold liquors, &c.

He then embarked with his family, in the *Charity*, Captain Sims, for New York, where he lived for about two years, and then took his passage with Captain Slade, for the *Madeiras*, where he staid three weeks, and then returned to New-York, where he buried his wife; after which he found himself unable to keep house any longer, but employed himself in carrying wood from place to place, in a boat of his own of twenty tons burthen.

When he left off this employment, he engaged with Kidd, and afterwards with Captain Culliford, to plunder ships and goods belonging to the enemies of Christianity, which he was informed was lawful, and believed it: but being now convinced that those were the greatest enemies of Christ and his Religion, who were guilty of such unwarrantable actions, he heartily begged pardon of God and man, for the offences he had committed, and acknowledged his sins had deservedly brought upon him the misfortunes under which he laboured.

This unhappy offender was executed on the 23d of May, 1701.

The Trial and Behaviour of HERMAN STRODTMAN, who murdered his Fellow-'prentice, robbed his Master, and set fire to his house.

HERMAN STRODTMAN was indicted at the Old Bailey, on three several indictments. The first was for the murder of Peter Wolter, his fellow servant, on the 27th of April, 1701: the second, for breaking open the house of Messieurs Stein and Dorien, and stealing a watch and other things, the

Engraved for the Tyburn Chronicle.



*Herman Strodman, in the Act of murdering
his fellow Prentice Peter Wolter.*

the property of the said Peter Wolter; and the third for stealing divers goods, the property of Herman Frederick Dorian, on the day before-mentioned.

From the depositions of the witnesses it appeared, that the prisoner having been discharged the service of Messieurs Stein and Dorian, for some misdemeanours, about three days before the fact was committed, took lodgings at the Sun Alehouse in Queen-street, and told the master of the house, that his father was a merchant in Saxony, and that he was come to London to learn the English language, after which he was to go to the West Indies; and that his cloaths were to arrive that evening by the carrier.

About eight o'clock he told the landlord that he was going to drink with some of his countrymen, and as he might probably stay late, desired they would go to bed if he did not return by eleven o'clock; which they accordingly did; but the next morning, being Sunday, he came home between five and six o'clock, bringing with him a bundle, which he said contained his cloaths, which he had fetched from the carrier's: he carried the bundle up stairs, and locked himself in the room: these cloaths were proved to have belonged to the deceased.

Mr. Stein deposed, that the prisoner came to his house on the Saturday to take away his cloaths; but as he was not at leisure to examine his trunk, he told him he must call another time; on which the prisoner (as he thought) went away. That the next morning, between four and five o'clock, the maid came to him and informed him that there was a smoke in the house, and she suspected that some part of it was on fire: on which he began to search, and finding that the smoke came through the chinks of the chamber-door where the deceased lay, he dispatched the maid for a pail of water, and entering the chamber, saw the chest of drawers on fire, which, however, by the help of the water, he soon extinguished.

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That the maid then went to Wolter's bed-side, in order to wake him, but soon found that he was dead, though warm. Hereupon Mr. Stein immediately sent for a surgeon, who not being able to bleed the deceased, took off his night cap, and found a bruise on the left side of his head near the eye: but as the skin was not broke, the surgeon made an incision, and found that the skull was broken in three pieces.

Mr. Stein then searching the chest of drawers, discovered that the cloaths and watch of the deceased were taken away; on which he began to suspect the prisoner, and was determined to have him apprehended, which was easily effected the next day, when several pick-lock keys were found upon him.

The prisoner, when at the bar, pleaded that he went to Camberwell, and from thence to the Red House at Deptford, where he was met by a press-gang, who imprisoned him, but speaking nothing but Dutch to them they let him go: that he then went to an alehouse, where he fell into company with a man who was called John the Painter, and told him that he had left his master, who had stopped his cloaths, desiring him to go with him to fetch them away, to which he consented: that they got privately into the house, where they concealed themselves till one o'clock, and then went into Wolter's chamber: that John the Painter struck the deceased with a piece of wood, upon which the prisoner told him that he had done a very ill thing, and he would not be concerned any farther: that John the Painter took the goods, and set fire to the house, after which they went away together, and being come to his landlord's door, he knocked, and the other gave him the goods.

The improbability of this story was so great, that the Jury did not hesitate to bring him in guilty; in consequence of which, he received sentence of death; after which he ingenuously and fully confessed the crime he was guilty of, and hoped that all persons would

would take warning by him, and watch and pray, lest they should fall into temptation.

Being told that the dead warrant was brought down to Newgate, he said, "The Lord's will be done. I am ready to die. I am willing to die. Only I beg of God, that I may not, as I deserve, die an eternal death; and though I die here for my most heinous and enormous crimes, yet I may, for the love of Christ, live eternally with him in Heaven."

All the time that he laid under sentence, his behaviour was such as became a penitent sinner; yet sometimes he seemed to be in great despair of salvation, feeling, as he expressed it, that his repentance was not great enough, and therefore he was extremely troubled in his mind, and was afraid that God would not accept him.

This unhappy youth, who was about eighteen years of age, when he came to the place of execution, prayed most fervently, sometimes in English, and sometimes in his own language. The following is his confession, which the Ordinary took in writing from his own mouth, and then reading it twice over to him, he solemnly declared it to be the truth, and signed it with his own hand, desiring that it might be printed.

The Confession of HERMAN STRODTMAN.

IN the year 1683, or a little before, I was born at Revel in Lifland, and had the happiness to come of a good family; my parents being of some account in the world, and also a godly and religious people, who took great care of my education.

About the year 1694, my father sent me to school to Lubeck, where I continued till Michaelmas 1698. From thence I went to Hamburgh, and staid there till I set out for England. I arrived at London in March following, and (together with one Peter Wolter, who

came with me to England) was bound apprentice to Mr. Stein and Mr. Dorian, merchants, and partners in London. Peter Wolter and myself, having been fellow-travellers, and being now fellow-'prentices, we lived for some time very friendly and lovingly together, till about August last, when his sister was married to one of our masters, Mr. Dorian. Then he began to be so proud, and so very domineering over me, and abusive to me, that I could not bear it. We had several fallings-out, and he did twice beat me, once before the maids in the kitchen, and at another time in the compting-house; and often complained, and told tales of me to my masters, thereby creating me their ill-will; so that they kept me close at home, and would not give me the same liberty, which my fellow-'prentice and myself before had, of sometimes going abroad for recreation. Upon this account I conceived an implacable hatred against him, and the devil put it into my heart to be revenged of him at any rate. First I designed to do it by poison, having to that purpose mixed some mercury with a certain white powder which he had always in a glass in his chamber, and of which he used to take a dose very often for the scurvy: but it being then winter-time (I think the latter end of December, or beginning of January) I found he had left off taking his powder; and so I might wait long enough before I could see the effects of my poison, if I staid till he took that powder again. Therefore I thought of another way to dispatch him, and this was by stabbing him. And as I was, or thought myself daily abused by him, so my hatred and spirit of revenge grew hotter against him every day; insomuch that now I came to be apprehensive, that if I continued longer in the house, I could not forbear doing him open mischief, and laying violent hands upon him. Whereupon I desired one of the maids to beg of my masters
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to send me to the West Indies; but they resolving nothing in the matter, and I being in haste about it, shewed myself very uneasy under this uncertainty; and my anger against my fellow-'prentice did so increase, that the Dutch maid took notice of it to me, and gave me very good advice to be meek, patient, and dutiful, which would have been very happy for me if I had taken. But I was under too great temptation to be in any condition of good admonition from friends. The great enemy of my soul was now very busy about me, and would not let me rest till I had executed this damnable design he had put me upon. On Good-Friday morning, my master sending me of an errand, I took from thence opportunity of going to Greenwich, with a design to return home on Saturday; but being now unwilling to kill my fellow-'prentice before he had received the sacrament, which he was to do on Easter day, I went to Greenwich, and on the Saturday sent a letter to my masters, telling them (what the father of lies had dictated to me) that I was pressed, and was to go to Chatham, and there to be put on board one of the king's ships on Easter Monday. Being still at Greenwich, I was met there by a young man, who knew me, and at his return to London, told my masters that he thought I was not pressed as I pretended. Upon which my master Stein went down to Chatham, to know certainly whether it was so or not, but could not find that any such young man as myself had of late been pressed there, or brought thither.

On Easter day I went to church at Greenwich, both morning and afternoon; but the Lord forgive me, my heart was then very far from being intent on what was good. Towards the evening I came to town, and lay that night at the Dolphin inn, without Bishopsgate; and the next morning returned to Greenwich, and was there, and at Woolwich, up and down thereabouts, till the next Tuesday, when I
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came to town, and lay in Lombard-street, and on Wednesday morning went down again to Greenwich. On Thursday evening I came to town again, and returned to Greenwich no more. Upon this, I went to my masters, and told them by word of mouth, what I had writ to them before, namely, that I was pressed. They said, they could not believe it; for they had made an enquiry into that matter at the place, and found no such thing; and were so angry with me, that they bid me be gone. Upon which I went away, and took a lodging in Moorfields, and lay there that night and on Friday night; and on Saturday I took other lodgings at the sign of the Sun, an Ale-house in Queen-street, London. Now I had a key to the fore-door of my master's house, which I got made for me a long time before Christmas, by that which was my masters, that I might (unknown to them) go in and out when I pleased; intending at first no other use of it, but to have the liberty of taking my pleasure abroad, oftener than they would allow. But the devil at last taught me another use of this key. For by the help of it, I came to my master's house on Saturday in Easter week, about half an hour past eight at night; and being got in, I first hid myself behind the entry door, upon my hearing a noise of somebody going up stairs. When this was over, as I supposed the way was clear, I went up one pair of stairs first; and entering the room where I used to lie, next the compting-house, I went to the tinder-box, struck fire, and lighted a candle. Then I took my masters dark lantern that was there also, and went up another pair of stairs, and having got into an empty room, adjoining to Peter Wolter's chamber, I shut myself in there, where I was no sooner placed but I heard a noise, as if somebody was coming up. Upon which I put out my candle, and some time after fell asleep. About twelve o'clock being awake, and supposing that Peter Wolter and the rest of the family

mily were a-bed and fast asleep, after I had been some time hearkening, and perceived all was very quiet in the house, I went down again to my room one pair of stairs, where the tinder box lay; and having lighted a candle a second time, entered the compting-house, and there took out several notes and bills, and some money; I then went up again two pair of stairs first, carrying with me a certain piece of wood where-with they used to beat tobacco, which I found in my chamber. When I was got up stairs, I sprung into Peter Wolter's chamber, and coming to his bed-side, opened the curtains, and, with my tobacco-beater, knocked him on the head, giving four or five blows on the left side of it, and another on the right. When I had given him the first blow, then my heart failed me; yet being afraid to be discovered by the noise he made with groaning, I followed close the first blow with three or four others, and then had not courage enough to give him any more. Therefore to stop his groans, I took his pillow, and laying it on his mouth, pressed it hard with my elbow, as I sat on the side of his bed; and by this means stopt his breath, and stifled him. And thus it was I most barbarously murdered this poor creature, whom I intended (had this failed) to have shot to death, having brought with me two pistols ready charged for that wicked purpose. The Lord forgive this sin!—When I perceived that he was quite dead, I proceeded to search his breeches and chest of drawers, and took a note of 20*l.* with some money, out of his pocket, which, with what I had taken out of the compting-house, amounted to 8, or 9*l.* Then I packed up some of the linen and woollen cloaths, and having made a bundle of them, went down with it one pair of stairs, and threw it out of the window, into an uninhabited house.

Then I went up stairs again, and having cut my candle in two (both pieces being lighted) I set one
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in the chest of drawers, and the other on a chair close by the bed-curtains, intending to have burnt the house, in order to conceal by this heinous fact, the other two of theft and murder, which I had now most barbarously committed. Then I went through a window into the house where I had flung my bundle, and staying there till about five in the morning, I went away with that bundle to my lodgings in Queen-street, where I put on clean cloaths, and then went to the Sweeds church in Trinity-lane. There I heard the bill of thanks read which my masters had put up for their own and their neighbours preservation; at which my heart sunk down, and I had a great check of conscience, and could not forbear shedding tears, which I hid (all I could) from an acquaintance of my masters, who was in the same pew with me, and told me that my masters house had like to have been burnt the last night, it being set on fire by an accident yet unknown; but the mischief which it might have done, through God's mercy, was happily prevented by the Dutch maid, who first smelt the fire, and saw the smoak, and thereupon called her master, and fetched a pail of water, by which means it was presently put out.

This he told me as we came out of church, and at parting we appointed to meet again at two o'clock upon the outer-walks of the Royal Exchange, in order to go together to the Dutch church in the Savoy. I went to the Exchange accordingly, and waited a while, but he not coming I went alone to Stepney church. After church I walked in the fields towards Mile-end, where I saw at a distance, two Dutchmen that were hanged in chains. Then I was struck with some remorse and fears, and said to myself, "Thou may'st come to be one of them, and be made a like spectacle to the world." As I went on I came to Blackwall, and there saw another person (a Captain of a French pirate) hanged in chains in that place.

place. Then the same thoughts again returned upon me, viz. that it might come to my lot to have such a shameful end. Thus providence having led me to those dismal and ghastly objects, I came back to my lodging with heavy thoughts, but not at all awakened to repentance; for I was in a spiritual slumber; still under the power and dominion of the devil, so as my heart did not relent at what I had done; but on the contrary, that if I had failed of murdering my fellow-prentice in his bed, I would have destroyed him some other way; and particularly designed to have pistoled him, as he was going for his masters letters to the post-house, or at his going back from thence, as I had also once laid in wait under the arch in Austin-friars to have done it, if he had come out at that time. Being come back from my distracted walks to my lodgings at the Sun Ale-house, I supped and went to bed, after I had said my prayers; but, God knows, I was then in a very unfit condition to pray: but the Lord has been infinitely gracious and merciful to me, in giving me a heart, as well as a mouth to pray; for which his glorious name be eternally praised.

The next day, being the second Monday after Easter, I went in the morning to the White Horse-inn without Cripplegate, to receive money upon one of those bills I had stolen out of my masters house, namely, the 20l. bill; but the man who should have paid it, being gone out, I was desired to come again about twelve which I did: in the mean time, I went to a Goldsmith that I knew in Lombard-street, who would have sent me that morning with some money to his sister, who was at boarding-school at Greenwich; but I told him I could not go before the next day, and then I would. Before I came away from him he told me, that a young man (one Green) had been there enquiring after me. Upon which I desired him to tell that young man, if he

came again, that I would come back to look for him there about one. Then I hastened to the White-horse again, and found the party, but he told me he had no orders to pay the money upon that bill. With this answer I returned to my lodgings, and when I had dined, I went again to the Goldsmith's in Lombard-street, where I found my master Stein with another gentleman, and my countryman Green. My master asked me whether I would go willingly to his house, or be carried thither by two porters; I said I would go. So after some questions about the horrid facts I had committed at his house, and my denying of them, I was searched, and the bill of 20 l. which was in the deceased's pocket, was found upon me. Then he asked me where I lay; I told him in Moor-fields; we went there to my former lodgings; but the people of the house told him I did not lie there now.

By this my master finding I was unwilling to let him know where I had lain, or how I had disposed of those things which I had stolen out of his house, promised me, if I would confess, no harm should come to me; for he would take care to send me presently beyond sea. Upon this I freely told him all the truth; where I lay, and where those goods of his were. He soon after took coach, and carried me to my lodgings in Queen-street, where he received the bills, cloaths, money, and all that I had thus stolen, and then carried me to Sir Humphry Edwin, who, upon his examination of me, and my own confession of all those facts, did (most justly, I must acknowledge it, and the providence of God in it) commit me to Newgate. This only I will say, that had I been tried the first sessions after my being there, I would have pleaded guilty, as I was advised to do by the Minister of Newgate, and others my spiritual teachers and good people. But I was taught, by some persons in Newgate, to deny all upon my trial, they framing for me, and industriously teaching me, the story of
John

John the Painter, and all that stuff, which I then alledged at the bar for my defence: all which I now confess to be utterly false in every part of it, I not knowing any such person as John the Painter in the world; and none being privy to or aiding me in those hellish crimes of mine, but the devil who had put me upon them. And this I do not only confess with sincerity, but heartily repent of, and with the greatest sorrow and humility beg God's pardon for my having endeavoured, with presumptuous lies, to conceal what God would have brought to light, and openly punish me for in this world, that I might (I hope) avoid eternal punishment in the next. I therefore give him the greatest thanks I am capable of, for the time and opportunity, and grace he has given me to repent, and to be reconciled to him, through the blood of my Saviour Jesus Christ: and I earnestly pray him to bless all those who have been instrumental to my apprehension and condemnation, as well as of my conversion: to bless the King with a long life, and prosperous reign upon earth, and to give him at last the immortal crown of glory: to bless all my judges, whose justice to me I again acknowledge, and my unjust denial to them, of the facts I stood charged with before them, I humbly ask their pardon for. And I pray God in my heart, to remember his mercy to my poor father (if yet alive) and my sisters and brothers, with all the rest of my friends and relations: to bless and prosper my masters and their family; to pardon all my enemies (if I have any) and pour down his blessings upon all good people of God; upon his church, these nations, and the whole world; and to have infinite mercy upon my sinful soul.

This I implore on the bended knees of my heart, overwhelmed with grief, and bathed in tears of a sincere repentance; acknowledging that if God was no more merciful to me than I was to that

poor creature whom I barbarously murdered, I should be undone to all eternity. But he is infinitely good and gracious, who will not suffer my soul to perish. Therefore I will magnify him as long as I live; and within a few hours, sing with the blessed saints above, the joyful song of deliverance and of praise, and hallelujah to him my heavenly Father, and to my dear Redeemer, for evermore. Amen and Amen.

Newgate,
June 17, 1701.

HERMAN STRODTMAN.

He was executed at Tyburn on the 18th of June, 1701.

The Trial and Confession of JOHN PETER DRAMATTI, who was executed for the Murder of his Wife.

JOHN PETER DRAMATTI was indicted at the Old Bailey in the month of June, 1703, for the murder of Frances, his wife, near Bloody-Bridge, Chelsea.

In the course of the evidence it appeared, that the prisoner, who lived with Lord Haversham at Kensington, coming home bloody on the night that the murder was committed, and being questioned by his lordship and the family, with regard to his appearance, said that he had met two men in the Park, who attempted to rob him, and that in defending himself he had broke one of their heads.

With this answer they were satisfied for the present; but some of the servants hearing a paper cried about the next day, giving an account of a murder committed

committed near Bloody-Bridge, told his lordship that they suspected Dramatti had murdered his wife, as they had heard her complain of ill-usage when she was at the house, and they had observed when he came home the preceeding evening, that his sword was broke, the hilt of it bruised, and his cane shattered.

Hereupon his lordship, in order to employ Dramatti, and to prevent his having any suspicion, ordered him to get the coach ready, and in the mean time sent for a constable, who on searching the prisoner, found a woman's cap in his coat pocket. As Dramatti was in a coach on his way to London, in order to be taken before a justice, he confessed to the constable that he had murdered his wife; and being asked his reason for so doing, answered, because she was a wicked woman, and had cheated him into marriage, by telling him that she was of the blood-royal of France, and would maintain him without working, instead of which he was obliged to work to support her.

It was also deposed, that after the murder was committed, the prisoner went into lord Haverham's chamber, late at night, after his lordship was in bed, in order, as it was supposed, to steal some gold that was there, and then make his escape: and that his lordship asking who it was, and what was his business, the prisoner pretended he was come there for something that he wanted.

The prisoner having nothing to say in his defence, but that his wife followed him, and provoked him to the murder, the jury found him guilty of the indictment, and he received sentence of death.

The deceased was found murdered in a ditch between Hyde-park and Chelsea, lying upon her belly, and there was a track of blood for about twenty yards from the place, where a piece of a sword was found sticking in the bank, which fitted the piece in the possession of the prisoner. The woman had
twenty-one

twenty-one wounds in her head and neck, one of which went into her wind-pipe, and one behind the ear, which went into her mouth, besides many others in different parts of the body.

*Abstract of the Ordinary's Account of JOHN PETER
DRAMATTI.*

THIS offender was about thirty years of Age, and born at Saverdun, in the county of Foix, in the province of Languedoc in France, of honest and religious parents, who educated him in the Protestant Religion.

When he was about one and twenty years of age he left his own country, on account of the persecution there, and went to Geneva, and from thence to Germany, where he was a horse-grenadier, in the service of the Elector of Brandenburg, afterwards King of Prussia. Having been in that station about a year, he came over to England, and entered into the service of Lord Haverham, with whom he remained about twelve months, and then entered as a soldier in the regiment of Colonel De la Meloniere; and having made two campaigns in Flanders, the regiment was ordered into Ireland, where it was broke, in consequence of which he was discharged.

Soon after this he became acquainted with a widow, between fifty and sixty years of age, who pretending she was a great fortune, and allied to the royal family of France, he soon married her, on account of her supposed wealth and rank, and her understanding English and Irish, thinking it prudent to have a wife who could speak the languages of the country in which he intended to settle.

Soon after his marriage, he found he had been imposed upon, for his wife had no fortune at all; on which he took a small house and a piece of ground, about ten miles from Cork, intending to turn husbandman;

bandman; but being totally unacquainted with agriculture, he found himself unable to get a living that way, and therefore went to Cork, where he worked at his own trade, which was that of a skinner. After staying about a year in that city, he came over to England, and offering his service to his old master, was accepted, and continued with his lordship till the time of his committing the murder, for which he suffered.

With regard to the occasion of the murder, he said, that his wife being very uneasy at living from him, would have had him take her to live with him at Lord Haverham's, which he refused to do, saying his lordship knew nothing of their marriage. She would then have persuaded him to leave his place, which he also refused, not only because he was much attached to his lordship's service from principles of gratitude, but because he knew not so well how to provide for himself in any other station.

Hereupon his wife began to shew signs of jealousy, and either had, or pretended to have a notion that he had placed his affections on some other woman; and her jealousy was not a little increased by the following circumstance. About Christmas preceeding the murder, Dramatti was seized with a fever, and during his illness, had every necessary care taken of him by order of his noble master. His wife at this time paying him a visit, begged him to leave his service, which he refused; and a servant maid who had brought him some water-gruel, being with him in his chamber, the wife immediately suspected that girl to be her rival, and thereupon repeated her entreaties that he would leave his service, which he absolutely refused, telling her that he must be a madman indeed to leave a place in which he was so well provided for, and so kindly treated, to go and starve with her.

When

When he was recovered of his indisposition, he visited his wife occasionally at her lodgings, but his service would not permit him to make those visits so long or so frequent as she desired; and when his lord took lodgings at Kensington, Dramatti was so hurried in removing, that he had no opportunity to let his wife know it before they went; and when by other means she learnt that they were removed, she came in a great passion to Kensington, to reproach him with his unkindness to her, though he declared he always maintained her as well as he was able, and as a proof of it had given her three guineas not long before the murder.

After many debates and quarrels between them, it happened on the 9th of June, that Dramatti being sent to London, and his business lying near Soho, he called on his wife, who lodged in that neighbourhood, and having been with her some time, he was about to take his leave, but she laid hold of him and wanted to detain him: but he got from her, and went towards Charing-Cross, to which place she followed him; but at length she seemed to yield to his persuasions that she would go home, as he told her he was going to his lord in Spring-Gardens; but instead of going home, she went and waited for him at, or near Hyde-Park-gate, where he found her on his return to Kensington in the evening.

She stopt him at the Park-gate, and insisted that he should go no farther unless he took her with him; and after many words had passed between them, she said she would go in spite of his teeth, or else she would have his life, or he should have hers. He now left her and went towards Chelsea: but she followed him till they came near Bloody-Bridge, where the quarrel being vehemently renewed, she seized his neckcloth, and would have strangled him; whereupon he beat her most unmercifully both with his cane and sword, which latter he imagined she broke with her

her hands, as she was a very strong woman, and able to have conquered him had he been unarmed. The Ordinary asked him if he was in liquor at the time, but he answered that he never was drunk in his life.

When he had given her so many wounds that he thought it impossible for her to recover, his passion greatly abated, and he fell on his knees, asking pardon of God for the great sin he had committed. He then hastened to Kensington, and told the story of his being attacked in the Park, as we have already mentioned.

The next morning he went to London on business, where he heard the news of the murder cried about the streets before it was known at Kensington: but though he expected every moment to be laid hold of, yet he had no notion of making his escape. Having dispatched his business in London, he returned to Kensington, where he was apprehended, as already mentioned, and committed to Newgate.

For some time after the Ordinary visited Dramatti, he used to attempt to justify what he had done, saying that his wife was a very bad woman, and of a restless disposition: but at length he became sensible of the enormity of his crime, and heartily begged pardon of God for the commission of it.

He absolutely denied being guilty of any intention of robbing his lord, saying that his business in the chamber was to take away a silver tumbler, which he had forgot before, that he might have it ready against the morning, to take in asses milk for his Lord.

Some time after Dramatti had been a prisoner in Newgate, he was persuaded by one Yoward, then a prisoner there, to make his escape in woman's cloaths; but when he was on the point of executing this enterprize, Yoward discovered and betrayed him.

This unhappy criminal professed to die in charity with all mankind, and besought most earnestly the forgiveness of God, whom he had so heinously offend-

ed. He hoped that all men, instead of imitating his crime, would abhor and detest it, and take such a warning by his fall, as to avoid both the sin and the punishment.

He was executed at Tyburn, on the 21st of July, 1703.

The Trial and Behaviour of THOMAS COOK, who was executed for the Murder of JOHN COOPER, a Constable, in May-Fair.

AT the sessions held at the Old Bailey, on the 22d of May, 1703, *Thomas Cook* was indicted for the murder of *John Cooper*, a constable, by giving him a wound with a rapier, in his body, near the left pap, on the 12th of May, 1702; of which wound he languished till the 16th of the same month, and then died.

Some of the evidences swore that, in pursuance of her Majesty's proclamation for the suppressing of vice and immorality, the justices issued their warrant to the high constable, and he sent his summons to the other constables, who accordingly assembled, and going to May Fair, a great disturbance arose; and some of the constables having seized the prisoner's wife, while he was at his own house, it came to his knowledge, and he swore that he would have the blood of some of them before he left the fair: hereupon he shut up his house, and going into the fair, he, with a drawn sword in his hand, and a mob of about thirty soldiers, and other persons, got over a bank, and stood in defiance of the constables, huzzaing, and throwing brickbats at them: they then pursued

purfued the conftables to the fheep-pens, and Mr. Cooper being behind the reft, they overtook him, and cut and wounded him fo that he died.

They depofed that the prifoner, had, after the fword, a conftable's ftaff in his hand, and that the mob, overpowering the conftables, had an opportunity of efcaping; but that the conftables having information that the prifoner was the perfon who killed Cooper, went in fearch of him, and three days afterwards met him in their way to the fair, when he drew his fword, made feveral paffes at them, waved his fword over his head, ran into the fair, and made his efcape.

The prifoner now went over to Ireland; and an evidence depofed, that while he was there, talking in a public houfe, with a perfon who taught the ufe of the fmall fword, he fwore very pofanely; upon which the publican cenfured him, and told him there were perfon in the houfe who would take him up for it; whereupon the prifoner faid, "Are there any of the
" informing dogs in Ireland?—we in London drive
" them; for at a fair called May-fair, there was
" a noife which I went out to fee: there were fix
" foldiers and myfelf; the conftables played their
" parts with their ftaves, and I played mine; and
" when the man dropped, I wiped my fword, put it
" up, and went away."

Cook having feveral times told of this exploit in a boasting manner, was at length apprehended and fent to Chefter, from whence he was removed, by *Habeas Corpus*, to London, and brought to his trial.

The evidence againft him being finifhed, he in his defence faid, that at the time of the murder, he was difabled, having fought a prize on the 29th of April preceeding, in which he was fo much wounded, that it was extremely unlikely he fhould be concerned in fuch an affair. With regard to the woman whom they called his wife, he difowned her, faying fhe was

only his bar-keeper, and that as soon as she returned, she shut up his house, and went to another. Notwithstanding all he could say, as the evidences swore positively that he was the man who committed the murder, the Jury brought him in guilty.

Thomas Cook, the prize-fighter, who was generally known by the name of the Gloucester Butcher, said he was about thirty-five years of age, and born of honest parents, in the city of Gloucester; from whence he came up to London, where, being bound apprentice to a Barber-Surgeon, he served two years, and then running away, went into the service of Mr. Needham, but did not stay long with him, for his mother sent for him down into the country, telling him that a gentleman's service was no inheritance.

He now set up the trade of a butcher in Gloucester, after which he kept an inn, and then turned grazier, being very much unsettled in his mind what employment to follow. At length he turned prize-fighter, a profession which he said the pride of his heart led him to, as he apprehended that there was not in the world a more courageous man than himself.

As to the crime for which he was to die, he positively denied it; saying that he had no sword in his hand on the day the constable was killed, nor was in the company of those who killed him. While under sentence of death he gave signs of the utmost contrition for the sins of his past life, and acknowledged that upon the whole he had been very wicked, that he had been an adulterer, a profane swearer, a drunkard, and a sheep-stealer. Having, at his own desire, received the sacrament, on Wednesday the 21st of July, he was carried from Newgate towards Tyburn, with the rest of the criminals who were then to suffer: but when he was got as far as Bloomsbury, there came a reprieve for him till the Friday following; upon which he was carried back to Newgate, and when the
Ordinary

Ordinary returned from attending the execution of the other prisoners, he went to visit him in the condemn'd-hold, where he found him at prayers, in which he appeared to be very earnest and devout. He told the Ordinary that he was not affected with this temporal life, and that he would have been well contented to have died with his fellow-prisoners; but as it happened otherwise, he was very desirous of having attended them to the place of execution, that he might have joined in prayer with them; but this the officers would not permit.

His friends now flocked to Newgate to visit him, and would have made merry with him on his reprieve; but he would not indulge the least levity, and would accept of no company but such as could assist him in his devotions, being earnestly desirous of improving his time to the purpose of his eternal salvation.

On the Friday morning a farther reprieve was brought till Wednesday, the 11th of August, on which day he was attended to the place of execution by the Ordinary, where he read the following speech and prayer, and sung the hymn.

His Speech, Prayer, and Verses.

Gentlemen, I thought it convenient to give you an account of my life and conversation, which is as followeth,

“ Gentlemen,

“ I Was a young man that was well educated, and
 “ well brought up, and come of very honest pa-
 “ rents, and about the age of 15, was put apprentice
 “ to a barber-surgeon in London; and after the serv-
 “ ing of two Years, or thereabouts, I ran away
 “ from my trade, and afterwards lived with Esquire
 “ Needham, who was page of honour to the late
 “ King

“ King William; but my dear mother told me, that
 “ a gentleman’s service was no inheritance, and so
 “ desired me to come home and settle. Accordingly
 “ I went to Gloucester, and there set up the trade of
 “ a butcher, which was the calling of my forefathers;
 “ and I followed that trade for several years, and serv-
 “ ed master of the company of butchers, in the said
 “ city of Gloucester. But being too much embolden-
 “ ed with courage, I thought no man a better man
 “ than myself; I took up the sword, and followed the
 “ sport of prize-playing for several years, which prac-
 “ tice has proved prejudicial to me. And I desire all
 “ young men to take warning by me, and never med-
 “ dle with any such idle practice; but let their honest
 “ calling be whatever it will, mind that they serve God,
 “ and keep good company. For here I shall give
 “ you an account of the ill consequence and tendency
 “ of such idle and wicked practices. First, it is dis-
 “ pleasing to God, to have his image scarified after such
 “ a manner. Secondly, It brings a man to a cor-
 “ respondence with ill company, and ill company
 “ takes a man off from his duty of serving God, and
 “ makes him to follow those vices that I have been
 “ guilty of myself; as, breaking the Sabbath, swear-
 “ ing, cursing, drunkenness, lewdness, and other like
 “ debaucheries. But as to what I die for, I do de-
 “ clare before God, and all the world, I die innocent.
 “ There was one witness deposed, on oath, that he
 “ saw me lock up my doors, and go down towards the
 “ fair with a sword in my hand: and there was one
 “ Jonathan Sheppard declared upon oath, that he
 “ saw me in the middle of the mob, with a naked
 “ sword in my hand: and there was a beadle declar-
 “ ed also upon oath, that he saw me with a sword in
 “ my hand, bloody: and there was one Mr. Deering,
 “ who, in like manner, declared upon oath, that I
 “ told him in Ireland, that when the constable dropt,
 “ I wip’d my sword, put it up, and went away, which
 “ I declare,

“ I declare, I never said, nor spoke any such words
 “ to him in all my life. And furthermore I do de-
 “ clare, as I expect mercy from God, I had no sword
 “ in my hand in the fair that day, and did not so much
 “ as lift up my hand, either for, or against any person,
 “ when the constable was kill’d.

“ Gentlemen, I must desire you not to reflect on
 “ Mr. Gorman, for he is very innocent of what they
 “ have charged him with, concerning me. But since
 “ it is my misfortune to die this shameful death, I
 “ must look upon it as an affliction from God Al-
 “ mighty, for my worldly sins. As for those false
 “ witnesses that swore my life away, I do freely forgive
 “ them with all my spirit; and I hope God will for-
 “ give them also. And, as for all whom I ever
 “ wrong’d in my life, I do hope they will freely for-
 “ give me, as I do freely forgive all the world. So gen-
 “ tlemen, I bid you an eternal farewell, and shall now
 “ conclude with this my prayer.”

His Prayer.

“ O Almighty God! I humbly beseech thee to bless
 “ our most gracious sovereign lady Queen Anne;
 “ and guide her by thy good spirit, that she may do
 “ always that which is righteous in thy sight. And I
 “ beseech thee, O Heavenly Father, that thou wouldst
 “ be pleas’d to give her that sight; as that she may
 “ foresee her enemies; and arm her so with thy de-
 “ fence, that she may not fear the power of any ad-
 “ versaries: and I beseech thee, O Lord! give unto
 “ her a long and happy reign, and after this life, a
 “ crown of glory with thee in thy Heavenly King-
 “ dom. And I likewise beseech thee, O Lord! to
 “ bless thy Holy Catholic Church, and especially that
 “ purest part of it, the Church of England, and give
 “ unto it the same honour, power, and glory, as it
 “ had heretofore; and let not those who dissent from it,
 “ ever

“ ever have that power to trample it down: And
 “ furthermore I beg of thee, O Lord! that if any of
 “ those dissenters should in any wise ever rise in re-
 “ bellion against our gracious Queen and Church,
 “ that thou wouldst abate their pride, assuage their
 “ malice, and confound their devices: and so let the
 “ Church of England remain and flourish unto the
 “ world’s end. And finally, I beseech thee, O Lord!
 “ to pour down thy blessing upon my whole family,
 “ and enable them to bear my death, (as by thy
 “ grace I do) with patience and resignation; and grant
 “ that this my death may be a joy and comfort to
 “ them, and a warning to the world. And Lord
 “ Jesus! I beseech thee to forgive all my enemies,
 “ especially those who swore false against me; for
 “ thou knowest, O Lord! I die innocent of that bloody
 “ fact, for which I am condemned. But my sins
 “ have provok’d thee to deliver me up a prey to the
 “ enemy. Lord! I beseech thee, that this my shame-
 “ ful death may, through the merits of the blood
 “ of Christ, and Sanctification of thy grace, make an
 “ attonement to thee for my worldly sins; that as I
 “ die here, so I may live eternally with thee hereafter.
 “ And now I come again to beg mercy for myself,
 “ intreating thee, O Heavenly Father! to have mercy
 “ on my poor soul, for thy dear Son’s sake, my Lord
 “ and Saviour JESUS CHRIST: into whose hands I
 “ commend my spirit. Amen.

*His Verses in Answer to the Bell-Man’s, the Night be-
 fore the Execution.*

THOU art the bell-man for this night,
 Who com’st to let me know,
 That on to-morrow I’m to die,
 And be a public show.

What

What follows was sung by him at the Tree.

I Hope my death will warning give,
To all that here attend,
And by my sad example may,
Your lives learn to amend.

Amend your lives, young men, I pray,
And do no more offend,
That great and mighty God above,
Whose kingdom has no end.

He's a God that merciful is,

To all that do believe,

In Jesus Christ his only son,

Who will our sins forgive.

Pray do repent of all your sins,

Before it be too late;

And beg the help of God above,

For Jesus Christ his sake.

Who suffer'd death upon the cross,

To make a recompence,

To all that do in him believe,

Before he did go hence.

In him I do put all my trust,

Whose mercy is full sure,

Hoping my soul with him shall dwell,

Henceforth for evermore. Amen.

"This I writ as my last farewell;

"Hoping my soul with Christ shall dwell." Amen.

THOMAS COOK.

He was executed at Tyburn on Wednesday the
11th of August, 1703.

*The Trial and Behaviour of JOHN SMITH, who
was condemned for Highway robbery.*

IN the month of November, 1704, *John Smith* was indicted at the Old Bailey, upon four indictments, the first was for stopping *Thomas Woodcock, Esq.* on the highway, and taking from him a silver watch, with a chain, a cornelian seal set in gold, and ten shillings in money, on the 16th of November. The second was for robbing *Elizabeth* the wife of *Thomas Woodcock, Esq.* on the 6th of November, taking from her four guineas, two keys, and a silk purse: the third was for robbing *Ann Montague*, at the same time, of a silk purse and three shillings in money, and the fourth indictment was for robbing *William Birch*, on the highway, of a grey mare, on the 29th of October.

Mr. Woodcock deposed, that as himself, his lady, and *Mrs. Montague*, were riding over *Finchley-common*, in his coach, a man with a mask on came to the coach-side, and demanded his money, which he gave him, together with his watch and ring.

In support of the fourth indictment, *Mr. Birch* deposed, that as he was riding between *Eaton* and *London*, at a place called *Bays-water*, near *Paddington*, he saw two men on foot, one of whom laid hold of his bridle and made him dismount, and then they both got on the mare, and rode away with her, and he firmly believed that *Smith* was the person who laid hold of the bridle, but he could not absolutely swear that the mare taken when *Smith* was apprehended, was the same which was stolen from him.

The next evidence swore, that about nine o'clock in the morning he saw *Smith* upon *Finchley common*,
near

near a place called Wood-house, and observed him riding backwards and forwards on the common till twelve o'clock, when he rode up to a coach, but permitted it to pass: that this evidence thinking he was a highwayman, called one of his neighbours, and then they saw another coach advancing, which the prisoner stopped, and robbed the persons that were in it, and then rode away; but being pursued, and finding himself likely to be taken, he left his horse tied to a bush, and ran into a wood.

A gentleman deposed, that as himself and his servant were riding along, and hearing that a robbery had been committed, they pursued the thief till he took refuge in a wood called Cole-fall; and that he directed his servant to ride into the wood, while he rode round it, to observe if the prisoner attempted to make his escape out of it: that in their search they found a grey mare tied to a bush, soon after which seven or eight people came to their assistance, and at length a huntsman espied the prisoner lying under a tree, and advanced towards him with a blunderbuss, whereupon Smith desired him not to shoot him, and immediately shot off his pistols into the air, and two men laying hold of him, he was conducted to Muzzle-hill, where being examined, there was found upon him the watch and purses mentioned in the indictment, a mask, some powder and shot, and some money; and that the prisoner then said, he would have made his escape but that the mare was a jade.

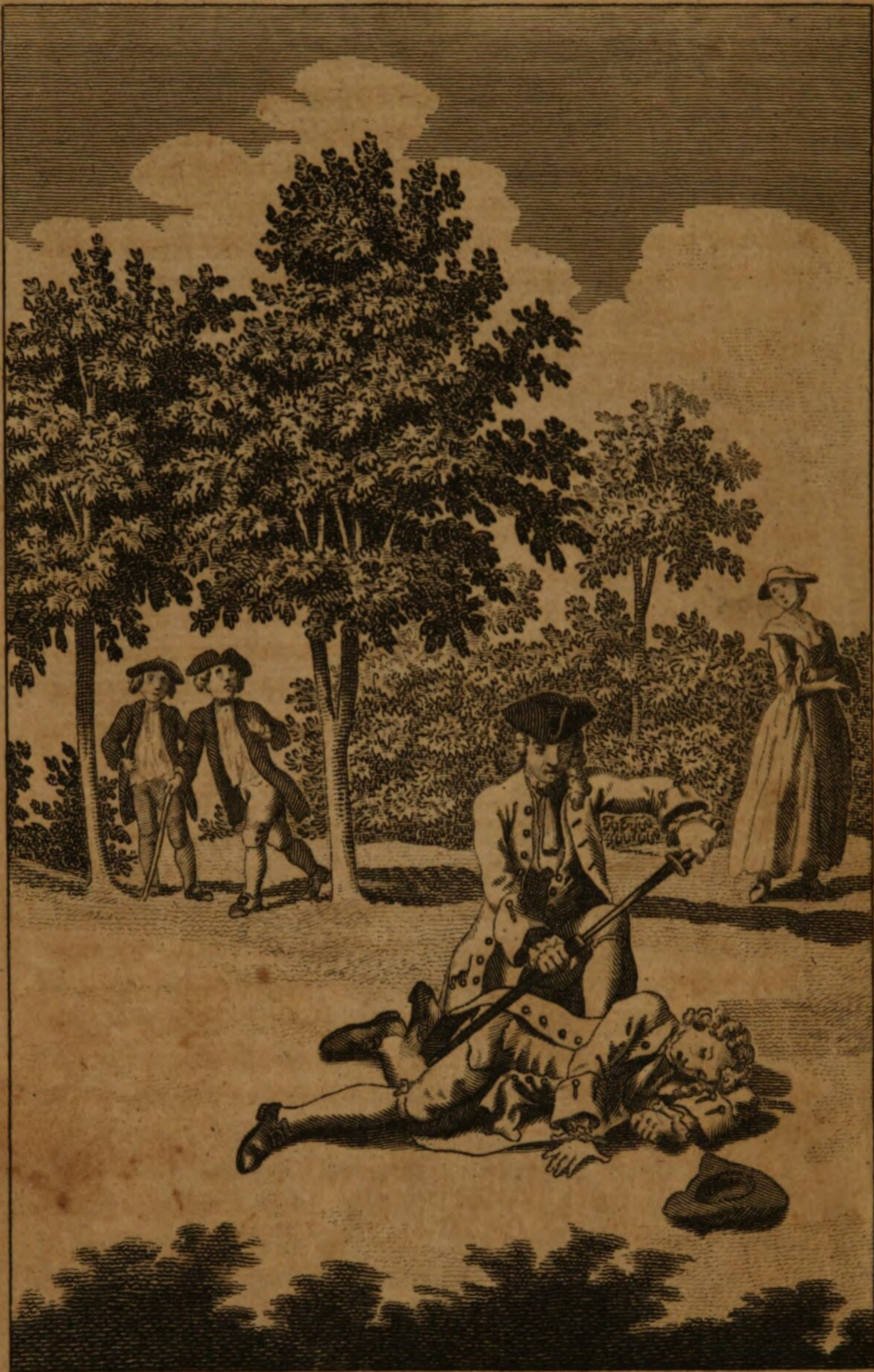
The prisoner, on his trial, denied the fact, saying, that as he was on his journey towards Yorkshire, upon a bay gelding, he met two men near Coney-hatch, who took his gelding from him, and told him that if he went to such a place he would find a mare tied to a bush; and as he was going away, one of them threw him a handkerchief, in which were the purses and watch that were found upon him when

he was taken : but this story not being credited, the jury found him guilty, and he received sentence of death.

John Smith was about twenty three years of age, born at Winchcomb, within ten miles of Gloucester ; he was a peruke-maker by trade, and carefully educated by his parents, to whose kindness he made but an ungrateful return, being very disobedient to them, and falling into many extravagancies and debaucheries. He said, that the ill habits he had contracted in his younger years, were greatly confirmed by his being, though but a little while, at sea, and that when he returned from thence, he became acquainted with a peruke-maker in Chancery-Lane, who proposed to him to go and rob on the highway ; which being soon agreed on, they went out with that intent on Sunday the 29th of October ; and as they were waiting about Paddington, for a booty, Smith rested himself on a stile over against the gallows at Tyburn, at the sight of which his heart misgave him, and he could not help thinking, that one time or other he should end his days near the place where he was beginning to rob ; which he mentioned to his companion, and would have persuaded him to go home ; which the other refused to do, and encouraged him, saying, “ What matters it, Jack ? it is but hanging, if thou should’st come to that.” So they proceeded on their design, and stole Mr. Birch’s mare, which was the first robbery they committed.

On the following day, Smith set out alone upon the mare, and robbed three stage coaches near Epping-Forest. On Wednesday the first of November, he robbed three other stage-coaches and a hackney-coach on Hounslow-Heath ; and on the Saturday following he robbed three stage-coaches more near St. Alban’s ; in all which robberies he did not obtain more than twenty pounds ; and lastly, he robbed Mr. Woodcock’s coach

Engrav'd for the Tyburn Chronicle.



*A View of the murder of M^r. Rob.^t Woodcock, by
M^r. Edw. Jefferies, in the Fields near Chelsea.*

coach on Finchley-common, on Monday the 6th of November, for which he was apprehended.

Thus was this offender cut off in the very beginning of his new and dangerous course of life; and we see how soon his fears of suffering near the place where he committed the first robbery were verified. From hence let the young and the thoughtless be taught, to avoid the first attacks of vice, to shun all appearance of evil, and steadily to persevere, in spite of all temptations, in their duty towards God and man.

This unhappy young man ended his life with serious exhortations to others to take warning by his example, and avoid the commission of those crimes which had brought him to his fatal end. He died declaring his perfect charity with all mankind, and calling on the God of mercy to receive his sinful soul.

He was executed at Tyburn on the 20th of December, 1704.

The Trial and Behaviour of EDWARD JEFFERIS, who was executed for the Murder of ROBERT WOODCOCK; and of ELIZABETH TORSHELL, who was tried for aiding and abetting him, and acquitted.

ON the 30th of September, 1705, *Edward Jefferis* was indicted at the Old Bailey, for the murder of Robert Woodcock, gentleman, on the 26th of July, by giving him one wound with a rapier, of the depth of six inches, of which he instantly died: and Elizabeth Torshell was indicted for being present, aiding and abetting in the said murder.

In the course of the evidence it appeared, that Mr. Woodcock and Mr. Jefferies had dined together be-
tween

tween one and two o'clock, on the day the deceased was killed, at the Blue-posts the lower end, of Pall-mall: that they parted after dinner, when Jefferis went to Mrs. Torshell's lodgings in St. Martin's-Lane, and was seen to go out with her towards the Park, and came back about six in the evening: that when Mrs. Torshell was told that one of the gentlemen that was with her lay dead in St. Martin's Church-yard, she cried out, "Death and fury! is it he?" that when she saw him she said, "O Lord! it is he, don't make any disturbance;" and that when the officers went to her lodgings to apprehend her, they found the door locked, but one of them threatening to break it open, she let him in, and he found three rings and a purse in one of the drawers, which were proved to have belonged to Mr. Woodcock.

A boy declared, that as he and another boy were playing in the fields near Chelsea, about four o'clock in the afternoon, they saw Mr. Jefferis and Mr. Woodcock walking together, and talking as if quarrelling: that Jefferis said to Woodcock, "G—d damn you, you lie;" to which Woodcock replied, "pray don't give me the lie too;" that soon after this Jefferis drew his sword, and before Woodcock, who was left-handed, could draw his, he received a wound, and fell down immediately: that then Jefferis drew Woodcock's sword, and taking some of his blood, rubbed it thereon; but that not being sufficient, he squeezed the wound to get out more, and having made the sword bloody, he put it under him, that it might be supposed he killed himself: this being done, he took something out of Woodcock's pocket, and then run towards Chelsea: that this lad and his play-fellow followed him; that as he run along he broke his own sword, and put it under his coat; that they still following him, he turned about and said he would knock their brains out if they followed him any farther; whereupon they went back: he likewise declared,

clared, that during this time, Mrs. Torshell was walking by the Park wall, and that after Jefferis had killed Woodcock, she came into the field and was advancing towards the body, but seeing him and his companion there, she seemed to turn back. The other boy confirmed this evidence.

By the depositions of other witnesses it appeared, that after the murder was committed, viz. about half an hour after four o'clock, Mr. Jefferis and Mrs. Torshell met at the Cheshire-cheese at Chelsea, and staid there till between five and six.

In his defence Mr. Jefferis alledged, that he was at another place at the time that the murder was committed, and called several witnesses to prove it; but none of them agreeing as to the time, the jury brought him in guilty. Mrs. Torshell was acquitted.

The Ordinary's Account of EDWARD JEFFERIS, Gentleman.

ON Wednesday the 19th of September, Mr. Edward Jefferis, as he was proceeding towards the place of execution, when about St. Giles's, met with a Reprieve, by virtue whereof he was brought back again to Newgate, where he continued to the 21st of September, when a fresh order came for his execution, and accordingly he was carried in a cart to Tyburn. Before this time, he had made to me the confession that follows, and in which he persisted to the last. He said, that he was about 41 years of age, born of good parents near the Devizes in Wiltshire, and brought up to the law in London, where he had lived for several years past. He confessed, that he had been unfaithful and unkind to his wife, and had led a very wicked and debauched life; and that to support his lewd and extravagant expences, he had done unjustifiable things. As to the murder of Mr. Woodcock, neither myself, nor several other divines, whom

whom I desired to urge the matter to him, could by any arguments that were offered, bring him to a confession of it: he gave this character of himself.

“ I was born of very honest parents in the West part of this kingdom, and religiously educated in the church of England, which church (by the grace of God) I die in. I served my clerkship to an eminent attorney in London; my father dying, left me an estate too young, which in some little time I spent. I married a virtuous young woman, whose parents lived at St: Alban's, never having any other wife but her; nor ever lived with any other woman but her; but vainly and profusely spent part of my precious time with many. I had a great blessing in her, if it had pleased God to have given me grace to have made use of it. In the first place, she was to me chaste, beautiful and young, and loved me too well. I, like the cock in the fable, not knowing the value of so precious a jewel, made flight of it, which now too late I esteemed, and repent that “ I should “ do those things which I ought not to have done, and “ have left undone those things which I ought to have “ done;” Which omission God Almighty has, I hope, pardoned me. Into whose blessed hands I commend my immortal soul. And so vain world, Adieu.”

At the place of execution, where I attended him, and put the thing to him, he again denied it. He said, he freely pardoned all that had injured him, and begged theirs whom he had injured, declaring that he died in perfect charity with all mankind.

After prayers and singing of psalms, and his desiring the standers by to join in prayer for him, I left him, recommending him to the direction of God's spirit. He did not appear dejected at all, nor did he change his countenance, so far as could be perceived. This was the manner in which he went out of the world, which to some seemed very extraordinary. As
he

he was going to be turned off, he desired again the prayers of all good people, and ended his life with calling upon God for mercy.

He was executed at Tyburn, on the 21st of September, 1705.

Mrs. ELIZABETH TORSHELL'S Letter to the Ordinary of Newgate, containing an Account of the Murder of Mr. ROBERT WOODCOCK.

Reverend Sir,

AFTER a consideration of your good counsel, I think it my duty to give you an account to the utmost of my knowlege, in this murder of Mr. Woodcock. When Mr. Jefferis and I came through the Park, we went into the hither door of the Mulberry-Garden, and walked up toward the house. Said Mr. Jefferis, "We will go to Chelsea, and if you will go through the house, we will make an excuse at the bar". I went through first, and staid at the wall, and Mr. Jefferis came to me. Then we walked towards Chelsea, and entering into the field that is the direct path, Mr. Jefferis said, "There is a friend of mine, pray walk on, I will overtake you immediately". Accordingly I did, and got within two fields of Chelsea, when Mr. Jefferis overtook me (which way he came I know not) for I walked very slow, and he was by me before I had any sight of him. I perceiv'd something of a surprize in him. Said I, "You are out of temper. Have you and that gentleman had any words?" He answered me, "We have had words, and I gave him a small prick." But said I, "I hope you have not hurt him." "No, no," said Mr. Jefferis. And that was every word we spoke concerning it. When we came into Chelsea, said Mr. Jefferis, "We will go to the Cheshire-cheese, for I know the man of that
No. 2. I "house."

“house.” So we went in, for then we were by the door; and when we came into the room, Mr. Jefferis laid his sword, hat and gloves on the table, and went out of the room. I took the sword in my hand, and drew it out of the scabbard, to see if it was bloody, by the reason he said that he had pricked the gentleman; but the sword was neither bloody nor broke, as the boys said: but there is a good reason to be given for the boys saying so. For one day when Mr. Jefferis and I were in chapel, I asked him, if he did not give the wound with Mr. Woodcock’s own sword, and if he did not draw it. He said, no. Then said I, “As he was drawing his sword, I suppose you snatched it from him; for the surgeon said, it was not the sword you had that gave the wound. And did you break his sword, as the boys said you did?” “No, said he, I broke no sword.” But then, replied I, “Did you not go to break it?” He made no answer to that word, only said, it happened so unfortunately for me to know the said Mr. Woodcock, and my having those rings made him suffer. Said I, “I knew not that you had killed him, when you was fetched by my order; neither did I know that he was an acquaintance of yours; but said I, I am told that you have money of his, and that you changed one of his guineas that night you came into the goal.” Said Mr. Jefferis, “he gave me none.” Nay, Sir, said I to him, “I don’t ask you if you took them, or if he gave you any; but by what the boys and I do know, there must be something more that I find you are willing I should know; and I suppose he would not give you any, and that was the occasion you quarrelled.” He fetched a very deep sigh, and shook his head, but made me no answer, which makes me think it was so; for he never spoke many words after, which makes me think he did resent my putting those words

words so close to him. All that ever he said to me after, was, that he wondered I was not out, and said, he would not have me come up to chapel, for what reason I cannot say, except it was for fear I should tell you how he left me; for said he to me, "Don't you mention that when we went to Chelsea, "I was any time out of your company; for if you do, "then I shall not be reprieved." I humbly ask your pardon, Sir, for not letting you know as far as my knowledge reached; but knowing I could not do the deceased any good; and if I spoke this he would lose his life, made me leave it to the just God, which knows the secrets of all hearts. This is all I can say, but I beg of you to pray to God for me, to keep me from all such wicked persons; and that will add very much to the health and satisfaction of my poor soul.

Sir,

Your most obedient Servant,

*Out of the Master's
side in Newgate,
Oct. 15, 1705.*

ELIZ. TORSHELL.

Sir,

One thing more I forgot to mention, which is, that Mr. Jefferis all along said, he should have a reprieve, if I said nothing concerning his knowledge of Mr. Woodcock; for he said he had petitioned his Grace the duke of Ormond, and that he would get a friend to go to the Queen, which I do believe was Mrs. Lambourn, one of the boy's mothers. Mr. Jefferis moreover said, that the father of Mr. Robert Woodcock should not have his life; for he did not question but he should be reprieved for all that. I suppose you know, Sir, that Mr. Jefferis's opinion was, that there was only a Heaven, and no place of torment

ment for bad livers, but to be put out of the presence of the Lord; which he said to me before he came into this place, and likewise since you and many more learned divines have taken pains to make him own the fact for which he has justly suffered.

E. T.

The Life and Trial of JOHN SMITH, otherwise called HALF-HANGED SMITH, with an Account of his wonderful escapes from the Gallows.

AT the sessions held at the Old Bailey on the 5th of December, 1705, *John Smith* was indicted for stealing 148 pair of Gloves, and twenty two pair of stockings from Richard Highley, on the 3d of December. In the course of the evidence it appeared, that the shop was broke open, that the goods were packed up in readiness to be carried off, and that Smith was taken in the shop; whereupon the Jury found him guilty, and he received sentence of Death.

There were three other indictments for crimes of the like nature, against this offender; on one of which he was likewise convicted.

John Smith was born at Malton in Yorkshire, and being sent up to London while young, was bound apprentice to a Packer, with whom he served his time, and afterwards worked as a journeyman. Leaving his place he went to sea in the *Jeffery Galley*, a merchant ship, and after that in the *Triumph*, a second rate, commanded by Admiral Graydon, and was in the expedition against *Vigo*.

Being

Being returned from sea, he was discharged from the ship, and then enlisted himself as a soldier; in Lord Cutts's regiment of guards; but the pay of a soldier being altogether insufficient to support his extravagance, he commenced thief and house-breaker, and committed several facts besides those of which he was convicted.

During the time that he lay under sentence, he made but little preparation for death, absolutely depending on a reprieve; but when he found himself disappointed in his expectation, he severely reflected on those who had undertaken to procure it.

On the 12th of December, 1705, he was carried to Tyburn, and having desired the spectators to take warning by his untimely end, and performed his devotions, he was turned off: but when he had hung about a quarter of an hour, a reprieve was brought to the gallows, on which he was instantly cut down, and taken to a house in the neighbourhood, where being let blood, he recovered, and was carried back to Newgate. When he was asked with respect to his sensations at the time he was hanged, he replied, that "when he was turned off, he, for some time, " was sensible of very great pain, occasioned by the " weight of his body, and felt his spirits in a strange " commotion, violently pressing upwards; that having forced their way to his head, he, as it were, " saw a great blaze or glaring light, which seemed " to go out at his eyes with a flash, and then " he lost all sense of pain. That after he was " cut down, and began to come to himself, the " blood and spirits forcing themselves into their " former channels, put him, by a sort of pricking or shooting, to such intolerable pain, that " he could have wished those hanged who had cut " him down."

On the 20th of February following, this man pleaded his pardon; and we are sorry to acquaint our
readers

readers that the narrow escape he had from the grave, did not work a reformation in him ; for he again betook himself to his unlawful practices, and though he at first kept himself within the limits of private frauds and petty larcenies, yet at length he entered on his former profession of house-breaking, for which he was apprehended, and on the 29th of April, 1715, he was indicted for breaking open the house of John Cooper, on the night of the 28th of April, with an intention to steal ; and also for breaking open the warehouse of Benjamin Longuet and partners, which ware-house was the lower room of Mr. Cooper's house.

It appeared in the course of the evidence, that the warehouse having been three times broke open, and goods stolen, two watchmen were directed to lay in wait for the thieves, and that about five o'clock in the morning of the 29th of April, they heard a noise, and soon afterwards the padlock was wrenched, and the prisoner going to enter, one of the watchmen struck at him, but missing him, he ran away, and was taken at the end of Rood-lane, Fenchuch-street. On searching him they found in his pocket the padlock of the door, with several pick-lock keys, and a tobacco-box with tinder and matches in it.

Upon the strength of the evidence he was found guilty of breaking the house or ware-house, as mentioned in the indictment ; but whether it was burglary, or in which of the places, the jury were doubtful, and therefore brought in their verdict special.

Smith was detained a prisoner in Newgate till the 10th of November, when he was brought to the bar, and acquitted on the special verdict brought against him for breaking open the warehouse of Benjamin Longuet and partners, by the unanimous opinion of the judges : whereupon another indictment was brought against him for the same fact, in the name of John Cooper, but the prosecutor dying before the day

day of trial, and no person appearing against him, he had the unmerited good fortune to be acquitted.

Thus have we seen how this offender had three narrow escapes from death; one by a reprieve after he was hanged, one by a mistake in the manner of laying the indictment, and a third by the death of the prosecutor. We are not informed what use he made of his last escape: charity however will incline us to hope that he made the proper use of it, that he reformed his vicious life, and returned to the paths of virtue; for sure he must be a hardened wretch indeed, who, having met with such signal escapes as no other man ever did, could still continue those wicked courses, which, sooner or later, never fail to end in destruction.

The Trial and Confession of ROGER LOWEN,
who was executed for the Murder of Mr.
 RICHARD LLOYD, *of Turnham-Green.*

ON the 20th of September, 1706, *Roger Lowen* was indicted for the murder of *Richard Lloyd*, of *Turnham-Green*; and being a foreigner, was permitted to speak by an interpreter, and allowed a jury of half Englishmen and half foreigners.

Mrs. Lloyd, the wife of the deceased, deposed, that she was cousin to Mrs. Lowen the prisoner's wife, who having, on the evening preceeding the murder, sent to her, to desire to speak with her, she went the next morning; and when she had been there about half an hour, her husband, who was riding to Acton on business, called at Mr. Lowen's house, and Lowen invited her husband to dine with him; who said that he must first go to Acton, after which he would re-
 turn

turn home and put up his horse, and then come: that while he was absent, Lowen expressed great uneasiness lest he should not come; whereupon she told him that if it did not rain much, he would come, agreeable to his promise: that between twelve and one o'clock her husband came, and Mr. Lowen introduced him into the parlour, with much seeming civility: that her husband put his sword and cane in a corner of the room, and Mr. Lowen invited them into the garden to see his plants: that having walked about half an hour, they returned into the house, and then Mr. Lowen desired his wife to step into the kitchen to hasten the dinner: that then the prisoner, her husband, and herself, going into the parlour, the prisoner took up her husband's sword, and drawing it a little way out of the scabbard, praised it, and asked who was his cutler; by which she thought that he intended to purchase a new one: that before this there had been no quarrel between her husband and the prisoner, in whom there appeared no sign of anger; and while her husband stood with his hands behind him, looking up the causeway, Mr. Lowen on a sudden drew the sword quite out of the scabbard, and giving a stamp with his foot, ran it into her husband's body, just upon the right pap.

Hereupon this deponent cried out murder, caught hold of the sword to disengage it from her husband's body, and struggling with the prisoner, got it out, but he drew it through her hand, in doing which he cut her finger to the bone, and then stabbed her husband in the arm.

Mr. Lloyd, lifting up his eyes, went towards the door to lean upon a rail, and this deponent followed him, crying out murder, and said, "Speak to me, my dear;" on which he held up his hands, but could not speak: she then, with some help, got him into the house, where, having groaned twice, he immediately expired. In the interim, Justice Hawley passing

ing by, accidentally, she informed him of the fact, telling him that a villain had murdered her husband.

Justice Hawley, and other witnesses, deposed, that the prisoner, on his examination, acknowledged the fact, saying that he intended to have done it before, and that all his concern was lest he should not have killed him. The cause of his resentment against the deceased was, that he suspected that he had been too familiar with his wife, and that he had often trod upon his corns, and gave him no other satisfaction than begging pardon for it. That he had been told that in his absence from England his wife lived in great splendor, keeping a coach, chariot, footmen, &c. but other witnesses proved that this was false.

The prisoner, in his defence, pleaded, that when he went from England, which was about nine years before, he had intreated his wife to go with him, which she refused: that the deceased had called him several names, and had often trod upon his corns, &c.

Some persons were then called, who endeavoured to prove that the family of the prisoner had been often observed to be discontented, &c. but the jury, paying no regard to these trifling depositions, found him guilty of the facts laid against him in the indictment, in consequence of which he received sentence of death.

Roger Lowen was a German gentleman, about 40 years of age, born at Hanover, and brought up in the Lutheran church. He said, that he had been a gentleman of the Equerry to the late Duke of Zell; and that before he was entertained in that service, the Duke (in consideration of his father, who was his huntsman) sent him into France to learn his exercises, at his Highness's charge. He confessed that he had not lived according to that knowledge he had in religion, and that, like many other gentlemen who

mind nothing but the sinful pleasures of this present life, he had been very loose and extravagant. He readily owned that he had assaulted, and for a long time before designed to kill Mr. Richard Lloyd; but for a great while before his trial, and even some time after it, he seemed to doubt very much of that gentleman's death; saying, that it was impossible he should have died of the wounds he gave him. But when he was at last convinced that he was really dead, then he appeared to be sensible that he had committed a very base and heinous crime, and expressed great sorrow for it; and this was so much the more afflictive to him by how much he considered the enormity of that bloody fact, both as to the nature of it, and the manner of his committing it, and withal the unreasonableness of that jealousy which had proved the unhappy occasion of it. After his condemnation he seemed to apply himself in good earnest to his devotions, in which he was principally directed by two Reverend Divines of his own church and nation, viz. Mr. Ruperti and Mr. Idzardi, who laboured to make him sensible, that the crime for which he was justly to die, was both in itself, and in the heinous circumstances attending it, most base, barbarous, and inhuman, and required a degree of repentance proportionable to the height of that stain and guilt which it had brought upon his soul; and therefore he had great need of the blood of Christ to wash him clean, and of God's extraordinary help and mercy, (which he ought to implore) if ever he expected to avoid the eternal wrath and vengeance of the just Judge of the whole world.

At the place of Execution he delivered the following paper to the Ordinary of Newgate.

IT is already known to the world for what reason I am now brought to this place, and am to suffer this shameful death, viz. for my having shed innocent blood.

blood. I do acknowledge the fact, and confess my fault, and rest satisfied of the just sentence past upon me, it being agreeable to the laws of the land, and the command of God, that “Whoever sheddeth man’s blood, by man shall his blood be shed; for God has made man after his own image.” I was born of honest parents; my father was an Englishman, and my mother a German: I was educated in the Protestant Religion. I declare before God and man, that I always had an abhorrence and aversion to actions of this kind, and have taken great care in all the course of my life to avoid them: and though I often had the opportunity of taking away the life of my adversaries in ungodly duels and quarrels, yet I take God to witness, as a dying man, I never was guilty of any murder before this, for which I justly suffer. I am therefore the more grieved now, that I have been moved to so great a passion, as to study revenge, by the instigation of the devil and sinful jealousy, which made me think (as I was persuaded by Mr. Crusius) that my wife was married, in my absence, with the deceased. This is the unhappy thing that brought me to the commission of this horrid sin, which I heartily bewail with tears, and I do submit to my just punishment. I am deeply sensible how greatly I have offended Almighty God, and therefore humbly implore his pardon and forgiveness, and that my sinful soul may be washed from my sins in the blood of sprinkling, that precious blood shed by my Redeemer, which speaks better things than the blood of Abel: and having the promises from the word of God, and his own oath, that whenever a sinner truly repents and turns to him, he is willing to receive him and forgive him, herein is the only hope and comfort of my departing soul. I likewise humbly beg the pardon of her Most Gracious Majesty Queen Anne, (whom God bless) and publicly ask pardon of the widow of the deceased Mr. Lloyd, as I have

done already by a letter which I have left unsealed with Mr. Rup, Minister at the Savoy, &c. to send it to her, hoping she will (as a Christian) forgive me, as we all hope for mercy and forgiveness from God, through the blood of Christ. In like manner I ask pardon of my dear wife, who has been many ways injured by this said occasion; and I sincerely declare, that I am fully satisfied of her innocence, and that I was jealous without a cause: and I do not in any respect ascribe to her the cause of my misfortune. I truly love her, and assure the world that I have never been married to any other woman; and I pray heartily for her prosperity and happiness both of soul and body. Lastly, I desire all good people, for God's sake, earnestly to pray for the salvation of my poor soul; and I exhort all to take warning by my sad misfortunes, that they would not give way to jealousy, anger, revenge, or such like passions; but resist the temptations of the devil, the world, and the flesh, with constant and devout prayers to God, and forgive their enemies, and pray for them. All which I heartily and sincerely do, as I hope God will forgive me for Christ's sake.

ROGER LOWEN.

He was executed at Turnham-Green, on the 25th of October, 1706.

The Trial and Behaviour of JOHN HERMAN BRIAN, condemned for robbing and burning the House of PETER PERSUADE, Esq.

ON the 16th of October, 1707, John Herman Brian was indicted at the sessions held at the Old Bailey, for breaking open the dwelling house of Peter

Peter Persuade, Esq. and taking from thence a gold etwee case and chain, a gold watch, seventeen guineas, and other things of value.

He was also indicted for burning and consuming the mansion house of Peter Persuade, Esq. in St. James's-Street, Westminster.

In the course of the evidence it appeared, that the prisoner had been a servant to Mr. Persuade, and was discharged his service two days before the fact was committed: that at ten o'clock at night, Mr. Persuade had left all his doors and windows fast: that when Mrs. Persuade went to bed, she locked up her watch, etwee case and other things; that awaking about three o'clock in the morning she smelt a strong smell of smoak, and getting up, went out of her chamber, and found a lighted flambeau in the passage, which had burnt the boards: she then opened the door of a parlour, which was filled with smoak, and instantly the room was on fire, which raged with such fury, that they were not able to save any of their goods, and in a quarter of an hour the house was consumed. It appeared that a poor woman going by Mr. Persuade's house very early in the morning, observed it to be full of smoak, and knocked at the gate, but could make nobody in the house hear: that at the same time she saw a man come over the wall, who said to her, "D—n you, are you drunk?" "what do you do here knocking at people's doors at this time of the day?" and then went off; but she could not positively swear that the prisoner was the person.

It likewise appeared that the prisoner had offered to sell the etwee-case to Messieurs Stevenson and Acton, Goldsmiths, for eight pounds; but those gentlemen suspecting that he had stole it, stopped it, and the prisoner went away, after which, on enquiry, they found it belonged to Mr. Persuade; and the prisoner

prisoner coming afterwards to demand it, they seized him, and found about him two pistols and a dagger.

By the depositions of other evidences it appeared, that when the prisoner left Mr. Persuade's service, he took a lodging at the house of a Frenchman near St. Anne's; but that he was not at his lodging the night the facts were committed, and that at twelve o'clock the next day he left this lodging, and took another in Spital-fields, to which he carried a trunk, a box, and a bundle sealed with three seals, which being opened, were found to contain linen and other things, the property of Mr. Persuade.

It farther appeared that when the prisoner was sent to Newgate, he was narrowly searched, and a purse, containing seventeen guineas, was found tied up tight between his legs; and that on the 31st of August he had sold two pistols and a fowling piece, which being produced in court, were sworn to be the property of Mr. Persuade.

The prisoner, in his defence, denied all the facts, asserting that he bought the goods of a stranger; but as he could give no proof of this, nor any satisfactory account where he was on the night the facts were committed, the jury did not hesitate to find him guilty.

From the Ordinary's account of this malefactor, we collect the following particulars: He said that he was about 24 years of age, born of honest parents, at Dully, a village belonging to the Bayliwick of Morge, in the canton of Bern in Switzerland; that he was brought up in the Protestant religion, and ever continued in that profession: that when he removed from his native place, he went to Geneva, where he lived four or five years in the service of an honest gentleman, and afterwards travelled with another into Italy: that from thence he came into England, where, (in the space of three years) he was at several times entertained

tertained in the service of divers honourable and good families, and last of all in Mr. Persuade's; in which he continued two months, and was then dismissed from it, for his carelessness, and peremptoriness in asking to be discharged. He said, that for the most part of his life he had been a Valet or Domestic, and that in his younger years, having for about a fortnight's time tried to learn the art of a Lapidary, and not liking it very well, he lived afterwards with a Joyner for the space of a twelvemonth, or thereabouts; but that trade being too hard for him, he left that also, and went to service, in the capacity aforesaid, and lived by that, and by buying and selling of Goods. But he denied he ever meddled with any that he could suppose might be stolen; and would fain have persuaded the world, that he had bought the goods found in his possession, belonging to Mr. Persuade, of two persons, one a soldier, and the other a seaman, whom he accidentally met with, viz. the former in Moorfields, who sold him the linen, the gold watch and gold etwee, &c. and the latter on Tower-Hill, of whom he bought the two pistols and fowling-piece: being asked who those two persons were, he answered, he never saw them in his life before, neither knew what became of them afterwards, nor where they might be found; and yet he expressed a great deal of dissatisfaction with the proceedings against him, and thought it hard to be found guilty; though he could alledge nothing that was any ways available to his justification: only saying, that he did buy those things (proved to be stolen) that were found upon him. And so full was he of his pretended innocence in this matter, that (notwithstanding all that could be said to him) instead of confessing his crimes as a thief and incendiary, and begging pardon of God and man for them, he could not forbear his unworthy reflections upon the prosecutor, witnesses and justice. There was no admonition

monition or exhortation, no argument fetched from scripture or reason, no representation of a future state, either of endless bliss, or eternal misery, that could prevail with him, and awake him to a due consideration of what he ought to do before he left this world. Some worthy French Divines, who had the charity to come and visit this malefactor in Newgate, found and left him in this his unaccountable obstinacy, and uncharitable temper, both with respect to his neighbour and his own soul; he not only denying the facts for which he was condemned, but charging them with injustice who had brought him under this condemnation; but he protested that he was innocent still. And in this protestation of his innocence he persisted even to the very last. All the time he was under condemnation, he seemed to mind nothing more, than to make his escape; having attempted it, by unscrewing and filing off his irons several times: and when he was told that he should think of something else, and not spend in vain contrivances the few precious moments he had to live here, but should carefully employ them in the thoughts of, and preparation for eternity, &c. He answered, "that life was sweet, and that any other man, as well as himself, would endeavour to save it if he could."

He was executed in St. James's-street, on the 24th of October, 1707, and afterwards hanged in chains at Acton Gravel-pits.

*Account of the Exploits of JACK HALL the
Chimney-sweeper, convicted of Burglary.*

THIS criminal, who, in his time, was much the subject of public conversation, for the number of robberies of various kinds that he committed, was the son of poor parents, born in Bishop's-head-Court, Grays-Inn-Lane, and in the early part of his life followed the occupation of a chimney-sweeper, which he soon quitted, and took to picking of pockets, at which he is said to have had a more than common dexterity; but as acts of dishonesty never fail to distress those who practice them, so our hero was frequently detected, and sent to beat hemp in Bridewell.

Having several times been punished in this manner, he at length took to shop-lifting, and being convicted at the Old Bailey, in the month of January, 1698, for stealing a pair of shoes, he was sentenced to be whipped at the cart's tail, after which he was discharged from Prison, and took up the employment of house-breaking.

Before he had followed this new profession any considerable time, he was apprehended for breaking open the house of Jonathan Bretail; and being capitally convicted at the Old Bailey, he received sentence of death in 1700, but afterwards obtained a pardon, on condition that within six months he should transport himself to some of the plantations; and accordingly he entered himself on ship-board; but not liking that way of life, he took the first opportunity of quitting it, and going among his old companions, they entered on the practice of stealing portmanteaus, boxes, trunks, &c. from behind coaches, and Hall being again detected, was indicted at the Old Bailey,

in January, 1702, upon three different indictments; the first, for stealing a portmanteau, a silk night-gown, a watch, five guineas and other goods, the property of Gilbert Cole.

In the course of the trial it appeared, that the goods were sent to the Three Cups in Bread-street, in order to be carried to Bristol, and that the coach setting out early in the morning, stopped in St. Giles's to take up two passengers: in the mean time, Hall, and two of his accomplices, conveyed the goods from behind the coach, and putting them into a hackney coach, bid the coachman drive to Ratcliff-highway, and stopping at a public house there, the accomplices got out, and left Hall with the goods in the coach.

The master of the house, suspecting the honesty of his guests, gave immediate notice to a constable, who sent a beadle; and Hall no sooner saw him than he bid the coachman drive down Old Gravel Lane; but being pursued, he was taken, and conveyed to Newgate, and being soon afterwards tried and convicted, he was burnt in the cheek, and sent to Bridewell for two years.

He was no sooner out of confinement, than getting into company with Stephen Bunce, Dick Low, and others, they went to Hackney, and in the dead of the night broke into a Baker's house, where the journeyman and apprentice being up and at work, they suddenly seized them, tied them neck and heels, and threw them into the kneading-trough, and one of them stood over them with a drawn sword, swearing he would cut off their heads if they presumed to move.

In the mean time the others went up stairs, where they bound and gaged the baker and his wife, and then searched the chamber; but not finding the booty they expected, they gave the old man his liberty, and demanded where his money was: but he being
unwilling

unwilling to tell them, Hall took a young child, the grand-daughter of the old folks, and swore he would thrust her into the oven, if he did not immediately discover where his money lay. The old man, terrified at this menace, made the desired discovery, in consequence of which the villains obtained a booty of about seventy pounds, with which they made off.

They soon squandered away this money, and then went to their old trade, and the house of Francis Saunders, a chairman near St. James's, being broke open in the month of July, 1704, he by some means obtained information that it was done by Hall and two of his companions; and as he was waiting at St. James's one morning about three o'clock, he saw these very fellows, who he supposed were engaged in designs of the same nature; and giving notice to the watchmen, they were pursued; whereupon Hall fired a pistol at the watchman, and missed him, but one of the others shot him in the thigh: Hall and another made his escape; but one of them was taken and tried, but acquitted for want of sufficient evidence.

In the month of July 1705, Hall was apprehended for breaking open the house of Richard Bartholomew, and committed to Newgate: but his name being by this time well known at the Old Bailey, he began to be seriously afraid of the gallows, and therefore changed his name, and was tried by that of Low Price. In the course of the evidence it appeared, that one Robert Roman, who had been tried and convicted for the same fact, had declared that it was done by Hall and himself; besides which, there were some other circumstances against him; but all this being thought insufficient to convict him, he was acquitted.

Being once more at liberty, he betook himself to his old practices, and after committing various robberies, was again apprehended and indicted in the month of October, 1706, together with Arthur

Chambers, for stealing a handkerchief from Hannah Glub; but there being a deficiency in the evidence, he was once more acquitted.

One would imagine that these repeated escapes should have been a sufficient warning to him to change his course of life; but this was far from being the case; for soon after this he was apprehended for a fact which he had all the reason in the world to imagine would bring him to the gallows: in order therefore to preserve his life a little longer, he turned evidence for the queen, and swore against Arthur Chambers, Thomas Bell, Zachary Fitch, and other of his accomplices, for various burglaries.

Having thus obtained his liberty, at the expence of the lives of his companions, he immediately took to his old trade, and after the commission of divers robberies, he was again apprehended and tried with Stephen Bunce and Richard Low, for breaking open the dwelling house of Captain John Guyon, in the night of the 25th of November, 1707, and stealing plate and goods to a considerable value.

Mrs. Guyon deposed, that hearing a noise about two o'clock in the morning, she got up to alarm the neighbours, when suddenly three men rushing into her room, two of them came up to her, and said, "D—n you, deliver your money," giving her at the same time a blow on the face, and bidding her go to bed: that she replied she had no money there, but what she had was in the next room, whereupon they went into that room, and she locked the door upon them: she said that the person who struck her was a tall man, much about the stature of Low; but as there was no light but that of the moon, she could not swear to any of their faces.

The evidence of Mrs. Guyon was confirmed by her servant maid, with this addition, that Jack Hall holding a candle in his hand, and a pistol at her breast, she had an opportunity of taking a perfect view
of

of his face; so that she could swear positively to him.

A lad of eleven years of age, the son of Mr. Briggs, who kept the Green Man, near Billingsgate, deposed, that on the morning the robbery was committed, six men came to his father's house about four o'clock, and he being near them, could hear and see what passed between them, which was as follows: viz. that one of them pulled a dram-cup out of his pocket, and another out of a handkerchief; that that they had likewise some head-dresses with knots, and a waistcoat trimmed with silver; (which by the description appeared to be the things that the prosecutor had lost) that he heard Bunce say, "We have made a pretty good hand of it to-night;" to which Hall replied that "he hoped they should make a better hand of it to-morrow night."

The boy being asked how he came to know the one from the other, said, that when they spoke aloud they called one another brother stich, and when they spoke low they called each other by their proper names; and that having heard them make an appointment to meet at the Two Fighting Cocks in Bunhill-fields, between five and six o'clock in the evening, he acquainted his father with what he had seen and heard.

The father suspecting them to be persons of ill fame, acquainted some stout men of what his son had told him, and they agreed to go and apprehend them: they accordingly went to the place, but not finding them there, came away, and met them going thither, and endeavoured to seize them, which at length they effected, though the prisoners fired several pistols at them.

Richard Low, expecting to be cast on another indictment against him, for breaking open the house of Jacob Curtis, (together with other fellows) declared that

that he alone was guilty of this fact; in order to save the other two: but the evidence being clear, and all of them known to be notorious offenders, the jury brought them all in guilty.

When Hall was under sentence of death, he confessed that within the space of three years past, he had committed a great many robberies, and some of them very considerable, in and about London; but he would not come to particulars, saying, he had forgot them in a great measure, and it would signify nothing to any person to know every ill thing he had done, for he could make no other amends to the persons he had wronged, than to ask their pardon: that he had lived a very bad life; that idleness and gaming had brought him to the commission of those facts; and that he had been guilty of all manner of sins but that of murder.

He likewise said, that when of late he had some thoughts of leaving off thieving, he found his inclinations were still that way. He also expressed himself as if he was then willing to die, desiring nothing in this world, but that God of his infinite mercy would forgive whatever he had done amiss, and dispose him to die well, that he might avoid the eternal condemnation he had deserved: but if he were to live his life over again, he hoped he should be wiser and better.

He was executed at Tyburn, in the thirty-second year of his age, on the 17th of December, 1707, with Stephen Bunce, Dick Low, &c. And being a person of eminence in his way, a certain poet after honoured his memory with the following elegy.

An

An Elegy on JACK HALL the Chimney-sweeper.

AT last thy roguish reign is ended,
 And thou deservedly suspended:
 Where art thou now, thou reprobate,
 Who jested'st at a future state,
 And said the place the devils kept
 Was footy, wanted to be swept?
 And they consulting did agree
 To send exprefs away for thee:
 And so thou'r't gone the Tyburn-road,
 The nearest way to their abode.
 But yet 'tis thought that there are store
 Of thy fly trade gone there before;
 Witness the bacon, beef, and tongue,
 Which in the chimnies reezing hung,
 Till by thy tribe were swept away,
 For which they now severely pay.
 Methinks I see the sulph'rous shore,
 Where clouds of thieves sent there before,
 Thee welcome give with dismal roar. }
 Did'st think the fiends there would be civil
 Because they're known to love what's evil?
 Make but thy outside like appear,
 Thy intellects already are:
 So put thy sweeping garments on,
 'Twill make each devil think thee one;
 Or cause this proverb after all,
 Ha! like to like, says the devil to Hall.
 If every rogue throughout the nation,
 Should die, like Hall, by suffocation,
 Some now in coaches would in carts
 At Triple-Tree receive deserts;
 Lawyers, Physicians, Courtiers, Jaylors,
 Would march in troops, and all the Taylors;

Nay, I could mention too a L—d,
 But, like his S—h, 'twould be absurd,
 Besides Scan— Mag— that is the word.
 Some hemp should likewise be commixt,
 For many who pervert the text,
 And what is worse than thieves can do,
 Cheat you of soul and money too,
 Lead scandalous and wicked lives,
 And, like Bell-swagger, ride your wives.
 The benefit of the clergy fee,
 When some poor rogues are at the tree,
 Who 'cause they cannot read a verse,
 Are made to sing it, and that's worse;
 Which, by the by, is charming singing,
 They shake so well, remember swinging;
 Besides, observe the fatal line,
 Makes each exactly stop in time:
 O foolish custom! (as one said)
 For finners when they're almost dead
 To have such crotchets in their head.
 If to this elegy a proper tune is,
 Pray howl it forth with *Finis Funis*.

E P I T A P H.

HERE lies Hall's clay,
 Thus swept away;
 If bolt or key
 Oblig'd his stay
 At judgment-day,
 He'd make essay
 To get away:
 Be't as it may,
 I'd better say,
 Here lies Jack Hall,
 And that is all.

*Some Account of STEPHEN BUNCE and RICHARD LOW,
executed with HALL.*

STEPHEN BUNCE was born of wealthy parents in the county of Kent, and brought up with his grandfather, reported to be worth 800 l. *per Annum*, at Feversham; but not being so obliging and dutiful as he ought to have been, he went to sea, and after having made a voyage or two, came on shore at Plymouth, and there married an alehouse-keeper's daughter in that town; but she proving a little loose, he left her; and coming up to London, grew lewd, and betaking himself to no honest employment, but frequenting billiard-tables, cock-pits, and ninepin-grounds, and keeping company with lewd women, soon consumed what money he had; and having gotten into wicked acquaintance, was easily induced to fall into evil practices to support his extravagancies, and was apprehended and indicted at the Old-Bailey, August 3, 1705, for stealing a sword from the side of an officer of the trained-bands; and the evidence being plain against him, he was convicted, and received sentence of death, but obtained a pardon on condition of transportation: but having gotten his liberty, he falling in with his old acquaintance, soon betook himself to his former practices; and having committed several robberies in company with James Hacket, being apprehended for a fact for which he thought it would go hard with him, he got himself to be admitted an evidence against Thomas Smith, William Hutchins, and other of his accomplices, in February 1707, and by that means obtained another pardon, on condition of transporting himself; but instead of performing it, he fell into the company of Jack Hall and Dick Low, and after the commission of divers robberies, was apprehended and tried with them for breaking the house of Captain Guyon, in the parish

of Stepney ; and being found guilty, received sentence of death the third time. Being under sentence, he behaved himself with a seeming penitence, confessed he had lived very lewdly, spent most of his time in drinking and gaming, and of late years committed many robberies, for which he asked pardon of God and man, saying he was sorry he could make no other satisfaction than by his death, to which he was willing to submit, and therefore desired his friends not to petition for his life. He was executed in the 28th year of his age.

RICHARD LOW was born at Westminster, near the Horse-Ferry, was brought up to the Sea, but coming on shore, and falling into bad company, was easily induced to make one amongst them, and was apprehended for breaking the house of Doctor Cornelius a Tilburgh, and stealing divers goods, in June 1704, but there not being sufficient evidence against him, he was acquitted, and as soon returned to his former way of living ; and having committed several robberies, for which he was apprehensive that the next time he came to the Old Bailey he should not fail to be convicted, he gave an information against several of his comrades, and was admitted an evidence against John Goodwin, *alias* Plump, in April 1707, and thereby obtaining his liberty, he immediately began his old practices, and was apprehended the July following, for stealing 3l. from the person of Hannah Glub : but finding means to buy off this prosecution, nobody appearing against him, he was acquitted ; and losing no time to prosecute his rogueries, was apprehended again in the November following, for breaking the house of Captain Guyon, with Jack Hall and Stephen Bunce, and also for breaking the house of Jacob Curtis and Christopher Gately ; and ——— Jones making himself an evidence

evidence against him, he was found guilty of all the indictments, and received sentence of death.

He acknowledged to the Ordinary the justice of his condemnation, confessed he had committed many robberies within the last four or five years in and about London; had been guilty of all sins, murder only excepted; expressed his sorrow that he had lived so wicked a life, saying, that were he to live it over again, he hoped he should wholly reform his conduct. He was executed in the 24th year of his age.

They all of them expressed a satisfaction that they had none of them ever killed any person, and that if at any time they had let off a pistol, it was not with a design to kill, but to secure themselves from being taken; and that then they desired to die rather than live, saying, that they hoped it would be for their good hereafter, to undergo that punishment here.

Account of the Trial and Behaviour of JOHN MORGRIDGE, condemned for the Murder of Mr. WILLIAM COPE.

ON the 5th of July 1706, at the sessions held at the Old Bailey, *John Morgridge* was indicted for the murder of William Cope, gentleman.

In the course of the evidence it appeared, that Mr. Cope having obtained a lieutenant's commission, invited several captains and other gentlemen to dine with him at the Dolphin-tavern in Tower-street, on the 17th of June 1706.

One of the gentlemen who was invited, asked Mr. Morgridge to go with him, assuring him that Mr. Cope would make him as welcome as any gentleman

in the company: hereupon Morgridge went; and after dinner was over, and Cope had paid for it, they all staid and had more wine, and when they had drank for some time, and each man paid half a crown, they arose, and most of them went away; but Mr. Cope inviting Morgridge and some others to the Corp de Garde, they went with him, and as soon as they came there called for wine, two bottles of which were set upon the table.

As they were drinking, a coach stopped at the door of the guard-room, in which was a woman of the town, who asked for Captain Cope: hereupon Cope and Morgridge immediately went to her and introduced her into the guard-room: and when she had been there a little while, she said "who will pay for my coach?" to which Morgridge answered, "I will;" and did so. He then offered to salute her, but she rejected him with scorn, and insulted him with abusive language, which he as freely returned.

Cope now took the woman's part, and a quarrel ensued between him and Morgridge, (who were both intoxicated) which soon increased to such a degree that they threw the bottles at each others head, and in the heat of the quarrel Morgridge drew his sword, and wounded Cope in such a manner, that he died on the spot.

The jury having heard the evidence, acquitted him on the statute of stabbing, and brought in their verdict special; so that it was left to the determination of the judges, by whose unanimous opinion he was afterwards declared guilty of wilful murder: but having, in the mean time, made his escape out of the Marshalsea, he went to Flanders; so that sentence could not be executed on him till he was retaken; when that happened, he was brought to England, and received sentence of death on the 21st of April, 1708.

While

While he remained under sentence, he owned the justice of it, though he declared that he had no premeditated malice against the person whom he had so unfortunately killed. He acknowledged that he had been a great sinner, for which he professed the deepest repentance ; and in particular for that crime for which he was condemned to die. He said that ever since he had made his escape, though he had no idea of suffering in this world, yet the sense of his sin was always before him, and had given him constant uneasiness. He had made strong resolutions to reform his life, and was always praying to God, for pardon and protection.

Mr. Morgridge was about forty years of age, born at Canterbury, and educated in the Protestant Religion, as professed by the established church of England : his ancestors had the honour to serve the crown for upwards of two hundred years, and he himself was, for a considerable time, kettle-drummer to the first troop of Horse Guards, and was on the point of having a commission, when the melancholy affair happened which cost him his life.

He professed to die in perfect charity with those who had been the means of bringing him to condign punishment, and with all the world ; and hoped that other persons would take warning by his untimely fall.

He was executed at Tyburn, on the 28th of April, 1708.

Thus we see an instance of the loss of two persons, who might have long continued useful and valuable members of society ; through a drunken quarrel about a woman of ill fame. Hence let the young and the thoughtless learn to keep a constant watch over their irregular passions, to guard against the inflammatory effects

effects of strong liquors, and, above all, to shun the company of harlots, which, in a thousand instances besides the present, has ended in utter ruin and destruction !

Account of WILLIAM GREGG, executed for holding a Correspondence with the Queen's Enemies.

THERE have been few criminals in this country whose cases have so much engaged the attention of the public as that of this unfortunate man. The account given by the ordinary is very short and superficial; we shall therefore endeavour to supply what is wanting in his relation, from the works of a Right Reverend Author, who is shrewdly belied, if he did not owe his first rise in the world to the manufacturing of a dying speech.

“ At this time (says Bishop Burnet) two discoveries
 “ were made very unlucky for Mr. Harley: Tallard
 “ wrote often to Chamillard, but he sent the letters
 “ open to the Secretary's Office to be perused and sealed
 “ up, and so to be conveyed by the way of Holland.
 “ These were opened upon some suspicion in Holland,
 “ and it appeared, that one in the Secretary's Office put
 “ letters in them, in which, as he offered his service
 “ to the courts of France and St. Germain, so he gave
 “ an account of all transactions here. In one of these
 “ he sent a copy of the letter that the Queen was to
 “ write in her own hand to the Emperor: and he
 “ marked what parts were drawn by the Secretary,
 “ and what additions were made to it by the Lord
 “ Treasurer. This was the letter by which the Queen
 “ pressed the sending Prince Eugene into Spain; and
 “ this,

“ this, if not intercepted, would have been at Versailles
 “ many days before it could reach Vienna.

“ He who sent this, wrote, that by this they might
 “ see, what service he could do them, if well encour-
 “ aged. All this was sent over to the Duke of
 “ Marlborough; and upon search it was found to be
 “ written by one Gregg, a clerk, whom Harley had not
 “ only entertained, but had taken into a particular
 “ confidence, without enquiring into the former parts
 “ of his life; for he was a vicious and a necessitous
 “ person, who had been Secretary to the Queen’s En-
 “ voy in Denmark, but was dismissed by him for
 “ his ill qualities. Harley had made use of him to get
 “ him intelligence, and he came to trust him with the
 “ perusal and sealing up of the letters, which the
 “ French prisoners here in England sent over to
 “ France, and by that means he got into the method
 “ of sending intelligence thither. He, when seized on,
 “ either upon remorse or hopes of pardon, confessed
 “ all, and signed his confession; upon that he was
 “ tried, and pleading guilty, was condemned as a
 “ traitor, for corresponding with the Queen’s ene-
 “ mies.

“ At the same time Valiere and Bara, whom Har-
 “ ley had employed as his spies to go often over to
 “ Calais, under the pretence of bringing him intel-
 “ ligence, were informed against, as spies employed
 “ by France to get intelligence from England, who
 “ carried over many letters to Calais and Bulloigne,
 “ and, as was believed, gave such information of
 “ our trade and convoys, that by their means we
 “ had made our great losses at sea. They were often
 “ complained of upon suspicion, but they were always
 “ protected by Harley; yet the presumptions against
 “ them were so violent, that they were at last seized
 “ on, and brought up prisoners.”

This affair was so well improved by the whigs,
 that Mr. Harley was obliged to resign, and his ene-
 mies,

mies, in their great charity, were inclined to carry matters still further, and, if possible, were resolved to find out evidence enough to reach his life. With this view the House of Lords ordered a committee to examine Gregg, and the other prisoners, who were very assiduous in the discharge of their commission, as the reader will perceive from the following account, extracted from the same Right Reverend Author.

“ The lords who were appointed to examine Gregg,
 “ could not find out much by him; he had but newly
 “ begun his designs of betraying secrets, and he had
 “ no associates with him in it. He told them, that
 “ all the papers of state lay so carelessly about the
 “ office, that every one belonging to it, even the
 “ door-keepers, might have read them all. Harley’s
 “ custom was to come to the office late on post nights,
 “ and after he had given his orders, and wrote his
 “ letters, he usually went away, and left all to be
 “ copied out when he was gone. By that means he
 “ came to see every thing, in particular the Queen’s
 “ letter to the Emperor. He said, he knew the design
 “ on Toulon in May last, but he did not discover it,
 “ for he had not entered on his ill practices till Octo-
 “ ber. This was all he could say.

“ By the examination of Valiere and Bara, and of
 “ many others who lived about Dover, and were em-
 “ ployed by them, a discovery was made of a con-
 “ stant intercourse they were in with Calais, under
 “ Harley’s protection. They often went over with
 “ boats full of Wool, and brought back brandy,
 “ though both the import and export were severely
 “ prohibited. They and those who belonged to the
 “ boats carried over by them, were well treated on
 “ the French side at the Governor’s house, or at
 “ the Commissary’s; they were kept there till their
 “ letters were sent to Paris, and till returns could be
 “ brought back, and were all the while upon free
 “ cost. The order that was constantly given them
 “ was,

“ was, that if an English or Dutch ship came up
 “ with them, they should cast their letters into the
 “ sea, but that they should not do it when French
 “ ships came up with them; so they were looked on
 “ by all on that coast, as the spies of France. They
 “ used to get what information they could both of
 “ merchant-ships, and of the ships of war that lay
 “ in the Downs, and upon that they usually went
 “ over, and it happened that soon after some of those
 “ ships were taken. These men, as they were Pa-
 “ pists, so they behaved themselves insolently, and
 “ boasted much of their power and credit.

“ Complaints had been often made of them, but
 “ they were always protected; nor did it appear that
 “ they ever brought any information of importance to
 “ Harley but once, when, according to what they
 “ swore, they told him, that Fourbin was gone from
 “ Dunkirk, to lie in wait for the Russia Fleet; which
 “ proved to be true; he both went to watch for them, and
 “ he took a great part of the fleet. Yet though this was
 “ the single piece of intelligence that they ever brought,
 “ Harley took so little notice of it, that he gave no
 “ advertisement to the Admiralty concerning it.
 “ This particular excepted, they only brought over
 “ common news and the Paris Gazetteer. These ex-
 “ aminations lasted for some weeks: when they were
 “ ended, a full report was made of them to the House
 “ of Lords, and they ordered the whole report, with
 “ all the examinations, to be laid before the Queen,
 “ in an address in which they represented the neces-
 “ sity of making Gregg a public example; upon which
 “ he was executed. He continued to clear all other
 “ persons of any accession to his crimes, of which he
 “ seemed very sensible, and died much better than
 “ he had lived.”

The Account which WILLIAM GREGG delivered to the Sheriffs of London and Middlesex, at the Place of Execution.

THE crime I am now justly to suffer for, having made a noise in the world, a paper of a more than ordinary length will be expected from the criminal; who therefore takes this last opportunity to profess his utter abhorrence, and sincere repentance of all his sins against God, and the heinous crime committed against the Queen, whose forgiveness I most humbly implore; as I shall heartily pray for her Majesty's long life and happy reign over her united people, and success against her enemies, with my parting breath.

This being all the satisfaction I can possibly make her injured Majesty, I declare, in the next place, the reparation I would make, were it in my power, to those of her Majesty's subjects I have wronged in any kind; and particularly the Right Honourable Robert Harley, Esq, whose pardon I heartily beg, for basely betraying my trust; which declaration, though of itself sufficient to clear the said gentleman, yet for the sake of those, whom it was my misfortune not to be able to satisfy in my life-time, I do sacredly protest, that as I shall answer it before the Judgment Seat of Christ, the gentleman aforesaid was not privy to my writing to France, directly or indirectly; neither was I, his unworthy clerk, any ways accessory to the miscarriage before Toulon, nor the losses by sea; all which happened before the first of my letters, which was written on the 24th of October, 1707.

As for my creditors, as I am in no condition to satisfy them, so I earnestly beg they would forgive me; and I pray to God to make up their losses to them seven-fold.

For

For my own Part, I do freely forgive all men, and die in perfect charity with them ; not without humble hopes of finding forgiveness, through the Merits of Jesus Christ, with God ; who in mercy touched my conscience so powerfully from the beginning, as to prevent my prostituting the same to save my life ; for which instance of his love, to be preferred before life itself, I bless and magnify his holy name, with unspeakable joy and comfort, at my death ; nothing near so ignominious as would have been such a life.

After this confession, the duty of a dying-man leads me to profess the religion in which I was brought up, and do now die, which is the Protestant. The scandal given whereunto, by my enormous practices, cannot be better taken away, than by my publishing to the world, my hearty sorrow for those sensual pleasures which have proved my bane. Wherefore let all that shall read this poor account, take warning by me, to shun the like youthful lusts ; to which, whoever gives up himself, cannot tell how far they may, when indulged, carry him : even to the committing such crimes, as he thought himself incapable of, some time before : of which sad truth, I, to my woeful experience, am a melancholy instance : but at the same time, I appeal to the great God, before whom I am now going to appear, that notwithstanding all the pains taken to make me out an old offender, by fastening on me the crime of counterfeiting the coin ; this is the first fault that ever I ventured upon, which was not out of any zeal for the Pretender, whom I not only disown at my death, but solemnly declare, that in all my life, I never thought he had any right to these realms, how foolishly soever I may have rendered myself obnoxious in this particular : but the only motive of my mad undertaking, was money ; of which I never received any, on account of the ship-past, though I have

met with the more just reward of such secret services,
intended by

W. GREGG.

William Gregg was a man of parts, born at Montross, and brought up at the University of Aberdeen, in that part of Great-Britain, called Scotland, and had, for some years past, been employed in public affairs. He confessed, that he had formerly indulged himself in lewdness and other pleasures, and that the expence attending those sinful ways, had brought him to poverty, and poverty had brought him to those treasonable practices, for which his life paid the forfeit.

Some Account of the Life and Trial of CHRISTOPHER SLAUGHTERFORD, who was executed for the Murder of JANE YOUNG.

THE unhappy subject of the following narrative was the son of a miller at Westbury-Green, in the county of Surry, who gave him a tolerable education, and when he was fourteen years of age, put him apprentice to Mr. Dyer of Godalmin for three years, at the end of which time he returned home, and having remained some time with his parents, he afterwards lived with several tradesmen in different parts of the country, and behaved, on all occasions, with the utmost integrity.

Having discharged his duty as a servant, he returned home to his relations, and, after some time, took a malt-house at Shalford in Surry, where he followed business with good success for a considerable time, during which his aunt was his house-keeper,
and

and by her frugal management, and his own industry, he was in thriving circumstances.

At length Mr. Slaughterford is said to have courted one Jane Young, with a view to marry her; and she having left her place, in order, as it was reported, to be married to him, and being seen in his company on the 5th of October, 1708, after which nothing was heard concerning her for a considerable time, he was suspected to have destroyed her, and a warrant was issued to apprehend him, which coming to his knowledge, he went voluntarily and surrendered himself to Captain Boosby, and Mr. Fulham, two justices of the peace, who discharged him.

About a month after this, the body of Jane Young was found, murdered, in a pond not far from Mr. Slaughterford's house; and he being threatened, went to justify himself before a justice of the peace, who committed him to the house of correction at Guildford, till the Saturday following, when he was examined by the bench of justices, who committed him for a week longer, and then sent him to the Marshalsea, from whence he was brought to his trial at the next Assizes at Kingston, and acquitted.

Notwithstanding this acquittal, the greater part of the neighbours thinking that he was guilty, partly from the evidence against him on the trial, and partly from some other circumstances, they persuaded the parents and relations of Jane Young to bring an appeal.

The girl's father being unable to bear the expence of bringing this appeal, the money for it was raised by subscription, every one contributing what they chose; so that a bill of appeal was exhibited against him, in the name of Henry Young, brother to the deceased, and on the second day of the following term, he was brought to his trial at the Queen's Bench bar, at Westminster.

Elizabeth

Elizabeth Chapman, the mistress of Jane Young deposed, that when the young woman left her service, she said she was going to be married to the prisoner, that she had purchased new cloaths on the occasion, and said she was to meet him on the Sunday following. That this deponent some time afterwards enquired after Jane Young, and asking if she was married, was informed that she had been seen in the company of Slaughterford, but no one could tell what was become of her since, and that he himself pretended he knew nothing of her, but thought she had been at home with Mrs. Chapman; which induced this deponent to believe that some mischief had befallen her.

Several witnesses deposed to the familiarity subsisting between the prisoner and Jane Young, to his going abroad with her under pretence of marrying her, and swore that he was seen in her company late on the night that the murder was committed.

Jane Young and the prisoner having met at a place called Sheer, about three miles from Guildford, the people of the house deposed, that she came thither on Sunday, and staid for him till the Tuesday following, at which time Slaughterford came thither, went to dancing in the neighbourhood, and then returned and lodged at the house, with the design, as these deponents imagined, of being married the next morning.

The master of this house deposed, that he told the prisoner, if he had a mind to have the business soon over, and wanted a person to give her away, he would be father; but that Slaughterford seemed displeased with the offer, and soon afterwards set out towards Guildford on horseback, and Jane Young followed him on foot.

It appeared, by the testimony of other witnesses, that Slaughterford came to Guildford on the day of the Mayor's feast, which he went to, and that the deceased

deceased waited for him at a Taylor's house in the town, being, as she imagined, to be married to him the next morning; that about 12 o'clock at night he called on her, and asked her to go home with him, and that they went away together.

Another evidence deposed, that about three o'clock in the morning he met a man and a woman on Shalford-common, about a quarter of a mile from the place where the body was found; that the man had light-coloured cloaths on, (as it appeared the prisoner had that day) and that as he passed by, he spoke to the man, whom, from his voice, he did believe to be Slaughterford: some little time after he was passed, he heard a great cry, like the shrieking of a woman's voice.

A man deposed, that having some business by the side of the pond, he saw some of a woman's cloaths above the water, and reaching at it with his stick, pulled up something like an arm; and then calling for assistance, they got out the body, and many of the country people coming to see it, knew it to be that of Jane Young.

A surgeon, who examined the body, declared upon oath, that he found three wounds in the head of the deceased, which reached the skull, and one in the nape of the neck.

A woman deposed, that, after the deceased was missing, she asked Slaughterford what was become of his whore; to which he replied, "I have put her off: do you know of any girl that has any money your way? I have got the way of putting them off now."

Another woman deposed, that before the discovery of the murder, she said to Mr. Slaughterford, "What if Jane Young should lay such a child to you as mine is here?" at which he sighed, and said, "It is now impossible;" and cried till the tears ran down his cheeks.

Slaugh-

Slaughterford's servant deposed, that going to his master's house to work that morning, about three o'clock, he found him there, and that he said he had been up all night: and other evidences swore that while Mr. Slaughterford was in the jail, he said he should not have been there, if it had not been for his aunt.

This was the whole evidence against the prisoner, who denied the fact, and in his defence said, that on the 29th of September he hired Jane Young as his servant, contracting with her for forty shillings a year; and that she promised to come to his house on the Saturday or Monday following; but that having been informed that his aunt was of an avaritious disposition, she came to a farmer's house in Shalford, and, sending for him, told him that she would not stand to her agreement, unless his aunt went away, saying, she would stay at an acquaintance of hers till she had his answer; that accordingly, on the Tuesday following, he went to Robert Sherlock's at Sheer, where she was, and calling her to the door, told her, that his aunt would not leave him till he was provided with a good servant.

Hereupon she told him, she would return to her old mistress at Alford; but some young people staying at Sheer to be merry, he staid all night with them, and the next morning, the 6th of October, went with one Richard Carpenter, of Churely, from thence, which was the last time of his being in her company; and going homewards, called at Lord Onslow's for a pocket-book he had left there, and then went afterwards to one Thomas Collet's of Alberry, but finding nobody at home, he went directly to his own house, and having put up his horse, his aunt told him he was invited to the Mayor's feast, but he must first send two sacks of malt into the country, which he accordingly put up, and going to see for a team to carry it, he saw three women coming down a causeway

a causeway, and one of them going into one Bowton's, a Taylor's, he followed her, and asking the boy if his master was gone to the Mayor's feast, he said, yes; whereupon he went away, saying to the woman who was a stranger to him, "How do you do, dame?" the other two women waiting not far off for their companion.

As he came out of the house, he met with a team, which carried the malt for him, and then he went to the Mayor's feast, where he staid till between one and two o'clock in the morning, then went home to bed, but saw nothing of Jane Young since he parted from her at the White-horse at Sheer.

His aunt, and a kinsman (a boy) deposed, that he lay at home all that night; but the Jury seemed not satisfied with their evidence. He called several to his reputation, but that did not avail him: and what they said being contradicted by the evidence on the other side, he was found guilty, received sentence of death, and was remanded back to the Marshalsea; where, while he lay under condemnation, he was visited by several ministers, who laboured to bring him to a confession of the fact, but he could by no means be induced thereto.

He solemnly declared, that he never made courtship to Jane Young, complaining that one who visited him often during his confinement in the Marshalsea, pretending much friendship to him, did him great injustice, and reflected on the unkindness and barbarity of his man J. L. and that he feared that one Mr. B. W. had conceived a spleen against his father as one J. W. had against his uncle, which they not being able to vent upon them, had extended their malice against him, so as to suborn witnesses to swear against him, but he freely forgave them. His mother also and friends came to see him, but could by no means get him to confess the fact.

On Friday about 10 o'clock, he was carried from the Marshalsea to Guildford, where several divines came to visit him, but none of them could bring him to own he was guilty of the murder. He obtained a reprieve from Wednesday till Saturday; the Mayor of Guildford going to him, acquainted him he must expect no longer time, and also gave him good advice, but by no means could get him to confess the fact. He desired that Mr. Woodroff, a minister in that town should be sent for; which gave room to expect he would say something as to the fact; but what he said was rather of a contrary nature, tending to justify himself.

Being led to the gibbet, the only request he had to make was to the executioner, that he might throw himself off; and they were almost the only words he uttered there, for being tied up, before the executioner could descend to do the rest of his office, he had swung himself off. He delivered the following paper to the Sheriff.

Guildford, July 9, 1709.

“ I being brought here to die, according to the
 “ sentence passed upon me at the Queen’s Bench Bar,
 “ for a crime of which I am wholly innocent, thought
 “ myself obliged to let the world know, that they may
 “ not reflect on my friends and relations, whom I
 “ have left behind me much troubled for my fatal end,
 “ that I know nothing of the death of Mrs. Jane
 “ Young, nor how she came by her death, directly
 “ or indirectly, though some have pleased to cast
 “ reflections on my aunt. However, I freely for-
 “ give all my enemies, and pray to God to give them
 “ a due sense of their errors, and in his due time to
 “ bring the truth to light. In the mean time I beg
 “ every one to forbear reflecting on my dear mother,
 “ or any of my relations, for my unjust and unhap-
 “ py fall, since what I have here set down is truth,
 “ and

“ and nothing but truth, as I expect salvation at
 “ the hands of Almighty God; but I am heartily
 “ sorry that I should be the cause of persuading her
 “ to leave her dame, which is all that troubles me,
 “ as witness my hand, this 9th day of July.”

Thus we see that this unhappy man, to the very last moment of his life, denied his being guilty of the crime for which he suffered; and though the evidence against him was much stronger than that on which many a person has been convicted, yet as this evidence was but circumstantial, we ought in charity to believe that he was innocent, and that the death of the young woman arose from some undiscovered cause; for it is a dreadful thing to think of a man's rushing into the presence of his creator, with a wilful lie in his mouth!

The Trials of DANIEL DAMAREE, FRANCIS WILLIS, and GEORGE PURCHASE, for High Treason.

AT the sessions held at the Old Bailey, on Thursday the 19th of April, 1710, *Daniel Damaree*, a Waterman, was indicted for high treason, for that he, on the 1st of March preceeding, in the parish of St. Clement's Danes, did, with a great multitude of men, to the number of five hundred, armed with swords and clubs, raise and levy public war against the queen.

The council for the Queen having opened the charge, Mr. Talboy deposed, that going through the Temple, he saw there some thousands of people,

who had attended Dr. Sacheverell from Westminster-Hall: that some of them said they would pull down Dr. Burgefs's Meeting-house that night; others were for pulling it down the following night; and a third sort, not till they had seen the event of Dr. Sacheverell's trial: that they all agreed in the design, though they differed as to the time of carrying it into execution, which, however, happened on the following night, which was the first of March.

Captain Orril deposed, that about ten o'clock at night, on the first of March, he was at Leonard's Coffee-house, when news was arrived that the mob had pulled down Dr. Burgefs's Meeting-house; whereupon he resolved to go about amongst them, in order to do what service he could to the government, by making discoveries, &c.—That the first place he went to was Mr. Bradbury's Meeting-house in Fetter-Lane, which the people were then rifling, and they obliged him to pull off his hat: that at about half an hour after ten o'clock, he went into Lincoln's-Inn Fields, where there was a bonfire made of a part of the materials of Dr. Burgefs's Meeting-house; and at a distance from him he observed a part of the mob headed by a tall man, whom he went and spoke to, and found him to be the prisoner, with the Queen's coat and badge on: that he saw the prisoner twirl his hat, and cry “D—n it, I'll lead you on; G—d
“d—n me, we will have all the Meeting-houses down;
“I'll lead you on; High Church and Sacheverell,
“huzza!”

He likewise deposed, that the part of the mob which was headed by the prisoner, were divided in their opinions where to go next: that some of them were for going to the Meeting-house in Wild-street, which others objected to, saying, that was a hen-roost, and proposed to go into Drury-Lane, for the meeting there was worth ten of that in Wild-street: on which they all agreed to go to Drury-Lane, and
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the mob not being so quick as their leader, he cried out, "D—n you, why don't you come along? High-Church and Sacheverell, huzza?"—After which, this evidence saw him no more.

Joseph Collier deposed, that about 9 o'clock at night he saw the prisoner bring the brass sconce out of Dr. Burgess's meeting-house, and carry it to the fire in Lincoln's-Inn Fields, and having walked round the fire, in a kind of procession, huzzaing with the mob "High Church and Sacheverell," then flung it in. This evidence swore positively to the prisoner, saying he was one of the principal persons in exciting the mob, had been there about two hours, and went away with a great number of persons to Drury-Lane, just before the guards came up; and several other evidences deposed to the same effect.

The prisoner pleaded in his own defence, that he was not the person, saying that he had been drinking from nine o'clock in the morning till ten at night, at which time he was very much intoxicated.

In favour of the prisoner, one Wood deposed, that he was drinking with him at a public house in Water-lane, about ten at night, when news being brought that there was a fire in the Strand, the prisoner said that there was a lady lived there who used to buy coals of him, and he would go and help her; that they immediately went to Temple-bar, stopping no where by the way, but were there stopped and forced by the croud through Shire-lane into Lincoln's-inn-square, and from thence into Lincoln's-inn-fields; that against the wicket in Duke-street, the mob seeing the prisoner in the Queen's cloaths, caught him by the cravat, and threatened to dash out his brains if he would not go with them; and that as the mob laid hold of him, this deponent left him and went home.

The master of the public house in Water-lane deposed, that the prisoner went from his house much
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in liquor, a little after ten o'clock : but being asked if any news of a fire was brought to his house, he said there was not.

Several other witnesses were called in behalf of the prisoner, but as they contradicted each other in several particulars, and in others confirmed the testimony of the witnesses for the Queen, the Jury, after being out of court a short time, found him guilty of high-treason.

FRANCIS WILLIS, of St. Clement's Danes, was indicted for High-Treason, for that he on the first of March preceeding, with a great number of people, with swords and clubs, did levy public war against the Queen.

The first evidence was Mr. Talboy, who deposed as on the former trial, to prove the intention of the mob in the Temple to pull down Dr. Burgess's Meeting-house.

John Lunt deposed, that standing at the door of his own house, about 11 o'clock at night, on the first of March, when the bon-fire was in Hatton-garden, he heard the prisoner say, that the mob had made him captain that night, and gave him a window curtain of Mr. Bradley's Meeting-house for an ensign : that he displayed it, and burnt a clock.

William Grove deposed, that about ten at night in Holborn, at the bonfire that was made with the utensils taken out of Mr. Bradbury's Meeting-house, he saw a footman with a pole, and a curtain upon it, and that he cried, High-Church Standard ; that he, with the mob, stepped up to coaches, and got money, and cried, High-church : and he being asked whether the prisoner was the man, replied, he believed he was, but could not be positive, for he was so altered by different clothes, that he did not look like the same man. Being asked what clothes he had on, he said either blue or green, he could not tell which.

which. Being asked whether he saw that man in Newgate that wav'd the curtain? he replied he did: and one of the turnkeys of Newgate being sworn, was asked by the court whether the prisoner at the bar was the same person that he shewed Mr. Grove in Newgate? and he replied it was the same.

Mr. Lunt being asked whether the prisoner at the bar was the same person who told him he had been made captain of the mob that night and carried the colours? replied he was, for he knew him before: but the counsel moved, that what he said to Lunt was not to be made use of against him.

Then the court ordered the statute of the 7th of K. William to be read, which says expressly that no person, after that time, shall be convicted of high-treason, but upon the oath of two witnesses, unless he shall confess the same in open Court.

The next witness was Captain Orril, who could not say any thing in particular against the prisoner, but proved the general design of pulling down the Meeting-houses.

The prisoner made a long defence; and the Queen's evidence not being sufficient to convict him, he was acquitted.

GEORGE PURCHASE was indicted for high-treason, for that he, with a great multitude of people armed, did, on the first day of March preceeding, levy war against the Queen.

Captain Orril deposed, that after he had been several times at Dr. Burgess's Meeting-house, and seen that demolished, and the fire in Lincoln's-inn-fields made with some of the utensils thereof, he met a detachment of the Queen's guards, and directed them to go to Drury-lane; that when he with the guards came thither, he saw a bonfire made with the pews, and other utensils thereof, with a great mob about it, who were dispersed by the guards: that he
there

there saw the prisoner under a bulk, who, with a drawn sword, which he held in his hand, pushed several times at the breasts of the horses to keep them off: that the prisoner being then driven from that place, went a small distance off to the end of Long-acre; that this evidence then went up to the prisoner, and asked him what he meant, telling him that in opposing the guard he opposed the Queen, and would have persuaded him to put up his sword, and go home; but instead of taking this advice, he replied, “D—n you, who are you? for High-Church” and Sacheverel or no? I am, G—d d—n them all,” meaning the guards, “for I am as good a man as any of them all:” that he then called to the mob “Come on, come on boys; I’ll lead you on, I am for High-Church and Sacheverell, and I’ll loose my life in the cause.”

Captain Orril farther deposed, that after this the prisoner ran resolutely with his sword in his hand, and made a full pass at the officer who commanded the guards; and if one of the guards had not given a spring and beat down his sword, he would have run the officer through the left flank: that the prisoner now retired a little lower, and the guards had by this time dispersed the mob, having knocked down forty or fifty of them in the action: and as this witness was going away, he heard some of the mob say, that they would be even with the guards to-morrow night, for they did not dare to fire upon them.

Richard Russell, one of the guards, deposed, that they were ordered by the serjeant to march into Drury-lane, and to return their bayonets and draw their swords; that when they came to Drury-lane, there was a bonfire with a large mob about it; that near the fire the horse were all drawn up into one line, with their tails against the wall, that none of the mob might come behind: that the prisoner then stood in the middle of the lane, huzzaing, and came
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up and would have thrust himself between the horses, but was beaten off with the flats of their swords : that then the guards wheeled about the fire, and the prisoner came up at the head of the mob, and cried “ D—n you, who are you for ? whether for High-Church or Low-Church, or Dr. Sacheverell ? ” and this was about a quarter of an hour before the mob was dispersed.

Mr. Sutherland, an officer who drew up the grenadiers, deposed, that he saw the prisoner several times at the bonfire in Drury-lane ; and observed him flourish his drawn sword, and cry out that he was for Sacheverell : that this deponent went up to him and said, “ Sir, are you encouraging the mob ? ” To which the prisoner replied, that he was for Sacheverell : that then this evidence went to Captain Horsey, to inform him of the prisoner’s behaviour, and received orders from the captain to cut him to pieces ; but the prisoner had then made off.

George Richardson deposed, that he knew the prisoner, having been with him in Flanders : that on the first of March, about ten o’clock at night, the guards marched from St. James’s to Lincoln’s-Inn-fields, where they quelled the mob, and then went into Drury-lane, where he saw the prisoner make a thrust at Captain Hansberg, and said to him, “ Do you intend to kill my officer ? ” Then with his sword he struck down the prisoner’s point ; upon which the prisoner retired under a pent-house, and this evidence rid up to him, with a design to cut him down, but was prevented by his sword breaking as it was lifted up against the pent-house. Being asked whether the prisoner knew Captain Hansberg, he replied he did, for he was abroad with him in Flanders.

The prisoner in his defence produced several witnesses that he had been drinking from 9 o’clock in the morning till 10 at night ; at which time he came from the Cross Keys Tavern in Covent-Garden with Mr.

Broad the bailiff, who deposed, that he left him very much in liquor, and, as he thought, going to his own house.

There was nothing in the whole evidence for the prisoner, that contradicted what was sworn by the Queen's evidence; so that after the Lord Chief Justice Parker had summed up the evidence on both sides, the jury went out, and returned in about four hours well satisfied with the proof of the facts, but not as to the points of law, and therefore brought in their verdict special.

*The Trial and Behaviour of CHARLES DEAN,
condemned for Burglary.*

AT the sessions held at the Old Bailey on the 9th of September, 1710, *Charles Dean* was indicted for breaking open the dwelling-house of John Stone, at Shepperton, near Hampton Court, in the night of the 7th of June preceeding, with intention to steal the goods, chattels, and money of the said John Stone.

The evidence deposed, that on the 7th of June, about twelve at night, the house was broke open, and the prisoner, with one Crouch, entered the prosecutor's chamber, where he and his wife were in bed together; and she going to cry out, Dean threatened to stab her, but she desisting, he bound her. Then Mr. Stone got out of bed, and the prisoner and the other dragged him out of the room, assaulting him after a very violent manner, and with an iron crow broke his skull in divers places, so that his life was despaired of: that the prisoner was seen by divers of the family, who knew him, and were positive he was the man: that day coming on, and for fear of being appre-

apprehended, they went away without taking any thing, leaving behind a pair of shoes, hat and wig: that when they were gone, it was found that an entry was made in the brick-wall where the sink was, with an iron crow they had with them.

Besides this positive evidence, it was also deposed, that the prisoner was seen at Brentford by three o'clock that morning without a wig, hat, or shoes, and pretended he had met with thieves, who took them from him, and he desired the person he met to give him a pair of shoes; and the evidence was positive that the prisoner was the man to whom he had given the shoes.

The prisoner, in his defence, denied the fact, and endeavoured to prove he was at London at the time the fact was committed; but the evidence swearing so positively against him, it bore so little weight with the jury, that they found him guilty of the indictment, and he received sentence of death.

While he lay under condemnation, he told the Ordinary, he was twenty-six years of age, born of good parents in the county of Montgomery in Wales, and brought up to the law in London, where he had lived from his youth; that he was for some time an attorney's clerk, and for the last two years had kept chambers in the Temple, and done business for himself.

Application was made for a reprieve and pardon, but none could be obtained, it being supposed, that he having lived extravagantly, had reduced himself, and therefore committed this fact on Mr. Stone, his relation, after whose death an estate was to come to himself. He declared himself a Roman Catholic, and therefore declined making any confession to the Ordinary, having priests of his own persuasion to attend him.

When he came to the place of execution, he peremptorily denied his being guilty of the fact, or

that he was in the house at that time ; and said that neither was Mr. Crouch there, who then stood committed for the same fact.

He was executed on the 16th of September, 1710.

Though Mr. John Crouch was in custody at the time of the trial of Charles Dean, upon account of the same fact, yet his trial was deferred till it was seen whether Stone would live or die, his wound being thought to be mortal ; that he might not only be tried for the burglary, but also for the murder ; and Mr. Stone, dying the 2d of October, Crouch took his trial as follows.

*The Trial and Acquittal of JOHN CROUCH,
charged with the Murder of Mr. STONE.*

ON the 13th of October, 1710, *John Crouch* was indicted at the Old Bailey, for breaking open the dwelling-house of Mr. John Stone, at Shepperton, the 7th of June preceding, with intent to steal his goods, money, &c.

He was likewise indicted a second time for the murder of Mr. Stone, by giving him a mortal wound on the hinder part of his head, of which he languished till the 2d of that instant October, and then died.

The first evidence was Mrs. Stone, wife of the deceased, who deposed, that between one and two o'clock that morning, their house was broke open, and one Dean, who had been tried the last sessions, and executed for the burglary, came into her chamber, with another person ; that Dean bound her in her bed, and the other dragged out her husband and took him down stairs ; that while they were down
stairs,

stairs, the daughter came to her, and told her that her father was murdered; that she, getting herself untied, got out of bed, and went down to her husband, where she found him in a deplorable condition, and that he told her Crouch had murdered him; that the prisoner and Dean had made off, leaving a hat, wig, and pair of shoes behind them.

Mrs. Stone being asked by the court, whether she knew the man who came into the chamber with Dean, answered, that she did not know him, nor could swear that the prisoner was the person; nor did any part of the evidence affect the prisoner, saving an affidavit of Mr. Stone, deceased, wherein was mentioned expressly that the prisoner was the person who gave him the wounds, and that he knew it to be him by his voice. Several surgeons deposed, that the wounds he had received were the cause of his death.

The prisoner, in his defence, produced nine very substantial witnesses, who proved he was at London at the time the fact was committed; and so punctual were they in their evidence, that they proved where he was the night before the murder was done, and where he was all day the 7th of June; but the most material circumstance, and in which they all agreed, was, his being at a feast at the Coventry-Cross near Stepney that very night, and continued there all night long, and was not from some of the company till eleven o'clock on Thursday night. Upon the whole, the jury having considered the matter, acquitted him.

The Trial and remarkable Confession of THOMAS MARS, condemned for Burglary.

ON the 7th of December 1710, *Thomas Curdley*, otherwise *Crudleigh*, otherwise *Thomas Mars*, (which was his right name) was indicted at the Old

Old Bailey, together with *Henry Norris*, for breaking open the dwelling-house of *Henry Hubbert* of *Hampstead*, in the night-time, and stealing a bell-metal pottage-pot, several ducks, and a goose and gander, the property of the said *Henry Hubbert*.

They were also indicted a second time, for breaking open the house of *George Man*, in the night-time, and taking from thence a copper, and other things, the goods of the said *George Man*, on the 30th of November.

In the course of the evidence it appeared, that both the prosecutors houses had been broke open, and the goods stolen; and *George Man* deposed, that hearing a noise in his house, he arose, got help, and pursued the prisoners; that in his pursuit he heard a noise under a hedge, and when they came up to it, found the prisoners with the goods; that they were very resolute, and fired pistols at him and his company, but missing them, they apprehended them. The facts being thus plainly proved, and the prisoners having nothing material to say in their defence, the jury found them both guilty.

Thomas Mars, when under condemnation, gave the Ordinary the following account: That he was thirty-two years of age, and born near *Shrewsbury*; that about fourteen years ago he came up to *London*, and served an apprenticeship to a mason who was a freeman, and worked at his trade for some time; but leaving off work, and addicting himself to loose and wicked courses, he was, in *March 1704*, convicted at the *Old Bailey*, for stealing 200 pounds of lead, belonging to the Cathedral of *St. Paul*, for which fact he was whipped round the said church; which correction did not reform him; for in *December 1705*, he was arraigned at the *Old Bailey* for breaking the mills of *Mr. Hugh Marchant*, and taking thence 322 pounds of iron, and two brass barrels; for which he was fined 20*l*, and to lay in *Newgate* till the fine, which

which he could not then pay, was remitted, which was in the month of May following: that then, being discharged out of Newgate, he enlisted himself as a soldier in the second battalion of foot-guards, under the command of General Holmes. He confessed the fact he stood condemned for, acknowledged he had been a very great and incorrigible sinner, and found, by his own woeful experience, that one sin, wilfully committed, easily draws on another, and that more; and a man cannot tell when or where to stop, till it ends at last in a sad and shameful death.

At the place of execution, he thus addressed himself to the spectators: “ I desire you would all take
 “ warning by me, and repent while it is called to-day,
 “ and remember your Creator in the days of your
 “ youth, that you may not come to so shameful an
 “ end. There are, I know, a great many offenders
 “ here, but I need not name them; I wish they may
 “ all repent in time, and that all good people here
 “ would pray for me. I ask their pardon whom I
 “ have offended, and I declare I die in charity with
 “ all men, and I wish I could make amends to the
 “ persons injured by me.”

He delivered a paper to the Ordinary, which, for reasons best known to himself, he did not think proper to print; he gave also the same to other persons, which contained what he had before declared, with much concern of mind, to Mr. Reuse, and some other persons; the substance of which is as follows:

That he and another, known by the name of Black Robin, did, on the 7th of June before, by the help of an iron crow, break in through the brick-work at the sink-hole of the dwelling-house of Mr. John Stone at Shepperton; and that having got him down stairs, Mr. Stone being a lusty and strong man, seized on a musket to defend himself, so that there was a scuffle between them; but that he struck him on the head with the iron crow, which wound proved mortal; and
 that

that the bustle between them having alarmed the family, and it then growing day, they thought it best to make off; and he having, at his first entrance, put off his shoes to prevent noise, and lost his hat and wig in the scuffle, went away in the hurry without them, and begged others at Brentford, saying, he had met with thieves who had robbed him of them.

He positively and solemnly declared, that himself and Black Robin were the only persons that committed that fact, and that Mr. Charles Dean, who had been executed for it, and Mr. John Crouch who had also been tried for it, were not at all concerned in it; and that he was heartily grieved that he had actually murdered Mr. Stone, and eventually Mr. Dean, for which he heartily begged pardon of God and man.

He was executed at Tyburn, in company with Henry Norris, on the 15th of December 1710.

The Trial of RICHARD THORNHILL, *Esquire,*
for the Murder of Sir CHOLMONDELEY
DEERING, *in a Duel.*

AT the sessions held at the Old Bailey, on the 18th of May 1711, *Richard Thornhill*, Esq. was indicted for the murder of Sir Cholmondeley Deering, on the 9th of April preceeding, by giving him a wound with a leaden bullet under the left pap, of which wound he soon died.

It appeared, in the course of the evidence, that on the 7th of April Mr. Thornhill, Sir Cholmondeley Deering, and several other gentlemen, being together at the Toy at Hampton-court, a quarrel arose between Sir Cholmondeley and Mr. Thornhill, on
which

Engraved for the Tyburn Chronicle.



*Sir Cholmondeley Dearing killed in a duel in
Tothill Fields by Richard Thornhill Esq.*

which the former gave the latter a blow on the face, and a scuffle ensuing, the wainscot of the room broke in, and Mr. Thornhill falling down, Sir Cholmondeley stamped upon him and struck out several of his teeth: that hereupon the company interposed, to prevent farther mischief, and Sir Cholmondeley being convinced of the impropriety of his behaviour, declared himself willing to ask Mr. Thornhill's pardon; but Thornhill replied, that asking pardon was not a proper retaliation for the injury he had received, and said, "Sir Cholmondeley you know where to find me;" to which the other made answer, that it was a lie. Not long after this the company broke up, and it was remarked, that Sir Cholmondeley and the prisoner went home in different coaches, and were by no means reconciled to each other.

After this, Sir Cholmondeley made overtures for an accommodation; but on the 9th of April he went to the coffee house at Kensington, and enquired if Mr. Thornhill lodged there, and was answered that he had, but did not then; having found Mr. Thornhill's lodgings, he asked if he was within, and being told that he was in bed, he immediately went up stairs into the dining-room, with a brace of pistols in his hands, on which Mr. Thornhill's servant acquainted his master that Sir Cholmondeley was there, and Mr. Thornhill soon coming to him, asked him if he would drink a dish of tea, which he refused, but drank a glass of small beer; after which Mr. Thornhill dressed himself, and they went together to Tothill-fields in a hackney-coach.

When they came to the place of action, they advanced towards each other, in a very resolute manner, and when they were within four yards of each other, discharged their pistols so equally, that it could not be known who fired first.

Sir Cholmondeley falling, Mr. Deering ran to him, lifting up his hands and eyes, as if greatly concerned,

and was then going away, but a person stopped him, and telling him he had killed a man, said he would take him before Justice Cress, who was a gentleman, and would treat him as such. Hereupon Mr. Thornhill said he would go with him where he pleased; for that he was only going to seek for his friend. By this time several persons having gathered about the place, Mr. Thornhill desired that no time might be lost in procuring the assistance of a surgeon, and offered one person a guinea, and gave another half a guinea for that purpose: he likewise expressed the utmost sorrow for what had happened, saying "he had rather have lost his right arm."

A woman observing Sir Cholmondeley lying upon the ground, reared up his head, and finding that he was very faint with the loss of blood, gave him something to drink, and then asked him how he came to be wounded, to which he answered, "A challenge."

At length a surgeon came, and would have bled him, but Sir Cholmondeley said he had lost blood enough already; whereupon the surgeon dressed his wound, and being put into a chair, he was carried to the house of a gardner in the neighbourhood, where the surgeon took from him six or seven ounces of blood, gave him cordials, and dressed his wound again.

A brother-in-law of Sir Cholmondeley attending the trial, the council for the Queen asked him how he came by a paper, * directed to that gentleman: to which he replied, that his concern at the time was so great, that he could give no other account of the

* This paper, which was read in court, is as follows:

S I R,

April 8, 1711.

"I shall be able to go abroad to-morrow morning, and desire
 "you will give me a meeting with your sword and pistols, which
 "I insist on: the worthy gentleman who brings you this, will
 "concert with you for the time and place. I think Tothill-
 paper,

paper, than that he received it among several others which were thrown into his hat, in the room where his brother-in-law died, and which he supposed were taken out of his pocket, but whether before or after his death he could not say.

In the course of his defence Mr. Thornhill brought several witnesses to prove how ill he had been used by Sir Cholmondeley; that from the time of his being hurt at Hampton Court, he had lain in the utmost anguish, and, for near a fortnight, could take no other sustenance than broth and small beer; that the pain he underwent was so severe as to occasion a fever, during which his life was despaired of; that he was under a necessity of losing more of his teeth, and that his jaw-bone was in great danger of mortifying; that Sir Cholmondeley did come to his house, in the manner deposed by the evidence; and he hoped that no stress would be laid on what the boy had sworn respecting his hand-writing, since he had acknowledged in court that he never saw him write in his life.

He called many persons of quality and credit to his character, who testified that he was a good-natured, well-behaved gentleman, and not in the least disposed to quarrelling; whereas the deceased was apt to quarrel on all occasions: that, till the fatal dispute at Hampton Court, the utmost friendship had subsisted between Mr. Thornhill and Sir Cholmondeley, and that the former had spent several hundred pounds in procuring votes for the election of the latter into Parliament.

“ fields will do well; Hyde-Park will not, at this time of the
“ year, being full of company.

“ I am,

“ Your humble Servant,

“ RICHARD THORNHILL.”

N. B. Mr. Thornhill's servant deposed, that he believed this letter to be his master's hand-writing.

Sir Thomas Robinson deposed, that he was at Hampton-Court at the time of the quarrel, and that soon afterwards he heard that Sir Cholmondeley was disposed to have accommodated the difference; but meeting that gentleman at the play, he (Sir Cholmondeley) asked this deponent if he had lately heard any thing of Mr. Thornhill, for that he had sent to him, but could never receive any answer, and therefore thought he still resented the affair: that this evidence replied to Sir Cholmondeley, " You know that best;" and the other answered, " If Mr. Thornhill required satisfaction, he was ready to give it, and the sooner the better."

Sir Thomas being asked by the council respecting his acquaintance with the prisoner, and whether he knew his hand-writing, replied, that he had been a school-fellow with him at Westminster, had known him twenty years, and having kept up a correspondence with him, had received many letters from him: being shewn the challenge, he said he did not believe it was Mr. Thornhill's writing, for he used to write his name in smaller letters; but he could not swear whether it was his hand or not.

Mr. Thornhill's surgeon deposed, that the hurt he received at Hampton-Court was of a very dangerous nature, that he had a high fever in consequence of it, and if he had not been of a strong constitution, it might have cost him his life.

Two women who attended Mr. Thornhill deposed, that for some time he received no nourishment but by liquids; and that the operations which were necessary to perfect his cure, were purposely deferred, that he might be the better able to defend himself at his trial.

The next person that was sworn, deposed, that having asked Sir Cholmondeley if he came by his hurt through unfair usage, he replied, " No: poor Thornhill! I am sorry for him; this misfortune was my own

“ own fault, and of my own seeking: I heartily forgive him, and desire you all to take notice of it, that it may be of some service to him; and that one misfortune may not occasion another.”

Dr. Smalridge deposed, that Sir Cholmondeley sent to him, and desired to receive the sacrament at his hands, saying, that “ He was extremely sorry for what had happened;” but the doctor told him, “ He could not administer the sacrament to him, unless he was also sorry for the crime:” to which Sir Cholmondeley replied, “ What would you have me do? I was challenged;” that thereupon this deponent said, that was not sufficient to justify him, but that he must own the fault, and forgive the person; and that Sir Cholmondeley then expressed his hearty repentance of that and all his other sins, and freely forgave the person who did him the injury.

The jury, having considered the whole evidence, found the prisoner guilty of manslaughter only.

Account of the Life and Trials of ANDREW BAYNES, condemned for robbing Mr. JOHN STORER on the Highway.

ANDREW BAYNES was born at Old Sandford near Saffron-Walden in Essex, and put apprentice to a Vintner in London: he was then a drawer at a tavern, and after that a butler to a gentleman: he then took a public-house in Thames-street, which he quitted, and took the Bear and Ragged-Staff Inn at Lambeth.

Meeting with losses and disappointments, he left off business, and got a scandalous living by tricking and sharpening, taking houses which he used to furnish upon credit, and then carry off all the furniture into the Mint. He likewise used to make a practice of travelling

travelling into the country, and going before a justice of the peace, swear that he had been robbed of considerable sums of money between sun rising and setting; and being supported by the evidence of two or three villains of the same cast with himself, he frequently obtained the money of the county.

At length he became a professed thief, and having committed several robberies, he was apprehended, and in the month of March, 1708, was indicted at the Old Bailey for breaking open the house of Elizabeth Copley, and stealing a gold necklace, two gold chains, a silver dish value 30*l.* and other things, on the 19th of January preceeding.

In the course of the evidence it appeared, that the prisoner, with other persons not then taken, had got over the garden wall, took a pane of glass out of the window, and entered the house: that while the prosecutrix was in bed, he went into her chamber with a large candle in his hand, by which means, she and her servants had so perfect a view of him, that they were able to swear positively to his face, as he staid an hour in the room before he went off with the goods.

The evidence being quite clear, the jury found him guilty, and he received sentence of death; but obtaining a pardon, he immediately returned to his old practices, and in January, 1710, was again apprehended, and indicted for breaking open the house of the Earl of Westmorland, in the night of the 23d of October, 1709, and stealing a repeating clock, one hundred and fifty four yards of crimson damask, and other goods to a considerable value.

To this indictment he pleaded guilty, and again received sentence of death; but had the good fortune to obtain a reprieve, on condition of transporting himself within six months: this however he neglected to do, and being impressed into the army, was carried
to

to Ghent in Flanders : but taking the first opportunity to desert, he returned to his former profession, and being apprehended, he was indicted at the Old Bailey on the 5th of July, 1711, together with one Sutton, for assaulting Mr. John Storer on the highway, and taking from him a gold ring, eight shillings in money, and other things, on the 22d of May preceeding.

Mr. Storer deposed, that as he and his son were walking between London and Islington, about eleven o'clock at night, they met two men, who having passed them a little way, returned, and one of them drawing a sword, bid him stand : that he made some resistance, but being overpowered by them, was bound and robbed : that during this transaction his son ran away, and was shot at by two men who lay in a ditch, but escaped unhurt.

Some other evidences deposed, that between one and two o'clock in the morning, as the prisoners were going by a watch-house near Long-Alley in Moorfields, they were stopped by the constable, and upon searching them, three pistol balls, and the effects which the prosecutor had lost, were found upon them. The prosecutor's son swore positively to their persons, and as they made a very trifling defence, the Jury found them both guilty, and they received sentence of death.

Baynes, having been twice before in this terrible situation, and having now no hopes of a reprieve, began seriously to consider his circumstances, and behaved himself as one truly penitent. He said he had, since his confinement and condemnation, endeavoured to make, and in some cases had effectually made, reparation to several persons injured by him and his wicked associates ; being made sensible that this was absolutely necessary for him to do, in order to his obtaining not only their pardon whom he had injured, but that of God also, who had been greatly dishonoured

dishonoured by his wicked and loose life, that had of late years been attended with all manner of lewdness and debauchery, for which he now felt a grief and bitterness of soul, much superior to all the pleasure he formerly had in his sins.

When he came to the place of execution, he spoke to the spectators, desiring them to pray for him, and take warning by him, who, by his extravagancies and sins had brought himself to that shameful death. He advised them to be wiser than he had been, and live another life than he had done, that they might not come to so sad and untimely a death, &c. Before he went to execution, he delivered to the Ordinary the paper following; containing a particular account of the robberies committed by him, in company with John Sutton and Will. Maw.

On Saturday, March 31, 1711, we robbed Mr. Potter, at the two men hanging in chains near Bow, and took from him a watch, rings, and other effects, with a snuff-box.

2dly, We robbed between Islington and Highgate, Governor Beal, with one Henry Harding, and took from them two coats, one blue trimmed with black, and the other a light-coloured coat, trimmed with silver, one pound eight shillings in money, and a tortoise-shell tobacco-box; which I own. But there were thirty-two guineas in gold, which the said Governor lost, which I suppose Sutton and Maw shared together; for, as I am a dying man, I know nothing of them.

3dly. We robbed a gentlewoman and a porter, between Kingland and Shoreditch. We took from the said gentlewoman six guineas in gold, and fourteen shillings in silver, and two gold rings. We met a Taylor at the same time, and upon the same road, and took from him some small effects.

N. B.

N. B. John Sutton observed, that there was a mistake in this article, as to the date only ; for, to his best remembrance, the Taylor was robbed three days after the aforementioned gentlewoman. And he said also, that between these two robberies, he committed another (without Baynes) about that place, on a servant-man, with a basket in his hand, from whom he took a small matter.

4thly. We robbed a single gentleman by the Brick-kiln next Tyburn, and took from the said gentleman a silver watch, and a pair of silver buckles, and some money.

5thly. We robbed Mr. Thomas Baker, and took two Queen Anne's guineas, and seven shillings and six-pence in silver, a silver tobacco-box, a pair of silver buckles, and three gold rings, and some other effects from the said gentleman. Maw was not concerned in this.

6thly. We robbed that worthy gentleman Sir David Hamilton, and his man, near Pancras-Wells, and took from Sir David one diamond ring, a silver hilted sword, inlaid with gold, and some money, with other effects. The robbery I own : but for his man's snuff-box, as I am a dying man, I know nothing of it.

7thly. We robbed a gentleman coming from Hackney, upon Cambridge-Heath, and took from the said gentleman a small parcel. Maw was not concerned in this.

8thly. The robbery (committed May the 22d, 1711.) which I am condemned to suffer death for, upon Mr. Storer, between Islington and Old-street, and took eight shillings in money ; he having his other effects again.

These are all the robberies I have committed since I have been in England, [Meaning since his return from
No. 4. R Flanders]

Flanders] and Sutton and Maw were along with me. And as I am dying man, this is nothing but the truth. So help me God.

August 7, 1711.

ANDREW BAYNES.

He was executed at Tyburn, on the 11th of August, 1711.

Account of ELIZABETH MASON, executed for poisoning her Mistress.

AT the sessions held at the Old Bailey, on the 6th of June, 1712, *Elizabeth Mason* was indicted for the murder of Jane Scoles, by mixing a quantity of poison, called yellow arsenick, in coffee, and giving it the said Jane Scoles to drink, on the 8th of April, with intent to poison her; and she drinking the same, languished till the 19th and then died: to which indictment the prisoner pleaded guilty, in consequence of which she received sentence of death.

The account which this unhappy girl gave of herself was as follows. She said that on the 10th of April she was told she was fourteen years of age, and that she knew nothing more of her birth or parentage, than that she had been informed her father was an excise-man, and that she was born at Melton-Mowbray in Leicestershire, from whence she was carried very young to Sutton, near Peterborough in Northamptonshire.

At this place she remained till she was about seven years of age, and was then brought up to London, and lived with Mrs. Scoles, (who told her she was her godmother) and Mrs. Cholwell, sister to Mrs. Scoles, who both lived together near Temple-Bar, and afterwards

wards in Covent-Garden. As she grew up, her mistresses employed her in doing their household work, and she assisted them in their business of clear-starching: but finding her service hard, she grew weary of it; and her mistresses having promised to leave her all they were worth at their death, she resolved to poison them both, which she executed in the following manner.

On Thursday in the passion week, being sent of an errand, she went to a druggist's shop, and bought two ounces and a half of yellow arsenick, which she pretended was to kill rats; and the next morning she mixed part of the poison with some coffee she prepared for her mistresses, and threw the rest away, supposing she should have no farther occasion for it.

This coffee her mistresses drank, soon after which, Mrs. Scoles found herself extremely ill, and said "she felt death upon her." She grew worse very fast, and died the next morning, before a minister, who was then sent for, could come and pray by her. As the poison did not kill Mrs. Cholwell, this girl was disappointed in her wicked hopes, and determined to make another attempt; for which purpose she went to the same shop again, and bought a half-penny-worth more arsenick, which she put into a porringer of water-gruel, which she had prepared for Mrs. Cholwell's breakfast.

Here the providence of God interposed in the preservation of Mrs. Cholwell's life; for the gruel being too hot, she was obliged to let it cool before she could take it; so that the arsenick settling at the bottom of the porringer, she did not swallow it all: however, what she did swallow making her very sick, she looked into the porringer, and finding a sediment at the bottom, she sent for an apothecary, who finding it to be poison, gave her a large quantity of oil to drink, by the help of which, and other remedies, the poison was expelled.

Hereupon Elizabeth Mason was suspected of this as well as the former affair, and being charged with it she readily confessed the crime. She was now examined by two justices of the peace, who committed her to Newgate on the 30th of April.

The Ordinary enquired of her whether any sweetheart or other person had prompted her to the commission of the crime; but she answered, "No," adding, "That the devil and her own pride, and the hope of living at ease, by having all that her mistresses should leave behind them, were the only causes of it:" and she likewise owned that she had often cheated her mistresses of money, and to conceal her frauds and other crimes, she had told abundance of lies, of all which she now sincerely repented.

Being awakened to a sense of the miserable condition her sins had brought her into, she expressed the most earnest desire that God would pardon her, praying in the words of David, that he would "Deliver her from blood-guiltiness." She likewise asked Mrs. Cholwell's forgiveness, for attempting twice to kill her with poison, and for all other injuries both to her and Mrs. Scoles.

The day before she died, she received the sacrament with great devotion: and when the time of her death was drawing near, she seemed to be so far from being discomposed with any uneasy thoughts about it, that she cheerfully resigned up her Spirit to God, saying, "I feel now more joy in my heart, than if I were going to a feast and merry-making. Methinks I see the gates of Heaven open, and the glorious things therein, plain before my eyes; and I doubt not in the least but I shall obtain them, through the merits and intercession of my dear Redeemer."

She was executed at Tyburn on the 18th of June, 1712.

Thus

Thus died this unfortunate girl, who, according to her own confession, appears to have had no inducement to the commission of the enormous crime for which she suffered, but an unwarrantable inclination to live at ease, on the property of other people. From hence let us learn to be satisfied in our several stations, to support ourselves by our own industry, and to do our duty towards God and Man, as the most certain road to happiness both here and hereafter.

Account of the Trial and Behaviour of RICHARD TOWN, Tallow-chandler, condemned for defrauding his Creditors, by concealing his Effects.

AT the sessions held at the Old Bailey in the month of September, 1712, *Richard Town* was indicted, for that he, having followed the trade and mystery of a Tallow-chandler, and bought and sold goods and merchandize in that art, and got his living thereby, at divers times since the month of April, 1707, and having contracted several debts by such his dealing, buying and selling, particularly a debt of 100 l. to William Thomas, and above 1000 l. more to other persons, he became bankrupt, and a commission of bankruptcy was issued out against him: and that afterwards, viz. on the 5th of April, 1712, he did withdraw himself from the said creditors, with intention to defraud them, and did remove, and feloniously and fraudulently conceal, and carry away fifteen ton of tallow, valued at 400 l. and 400 l. in money numbered; as also his debt books, and books of account, the said William Thomas, and other his creditors, to defraud, contrary to the statute in that case

case made and provided. To which indictment he pleaded Not Guilty.

The council, on opening the indictment, informed the jury, that the statute was very exprefs, that if any person, being a bankrupt, after the month of April, 1707, did fraudulently conceal, embezzle, or make away with goods, or money, to the value of 20 l. he or they should be guilty of felony. Then the witnesses were called.

Mr. Bromwich deposed, that the prisoner followed the trade of a Tallow-chandler; and had told him he was going to Holland, or elsewhere; and that he also saw some of the tallow packed up in order to be shipped off.

In order to prove the debt, William Dee deposed, that the prisoner, on the 14th of March, 1712, bought divers goods of William Thomas, to the value of 150 l. which goods were, by his order, packed up and sent away, and were afterwards shipped for Holland.

Mr. Jefferis deposed, that he delivered in November, 1711, a great quantity of tallow, amounting to above 100 l. worth at that time above forty shillings per hundred weight, for Mr. Vos and partners, to whom also the prisoner was debtor.

One Mr. Town deposed, that he having seven hogheads of Jamaica pepper in a warehouse of the prisoner's, the prisoner, unknown to him, and without his consent, sold the same for seventy pounds about the time he went off, and carried the money with him.

To prove the bankruptcy, it was deposed, that the prisoner withdrew himself from his habitation about o'clock in the morning, on the 5th of April.

Mr. Hodgson deposed, that he being sent by the commissioners in a statute of bankrupt, in quest of the prisoner, he took him on the 17th of April at Sandwich; where, searching him by virtue of a warrant from the commissioners, he found in his pocket
twenty

twenty guineas in gold, and five pounds seven shillings and six-pence, or thereabouts, in silver, and three gold rings on his fingers; and that he took from him the guineas, five pounds in silver, and the rings, and left him the odd shillings to himself: that afterwards he asked the prisoner how it came about, that he had no more money when he went on board? To which he answered, that he had more money when he went on board, but being sea-sick, and going to ease himself at the ship-side, he dropped eight hundred guineas, which were in two bags in his bosom, between his coat and waistcoat, into the sea. This was strengthened by his own examination before the commissioners, wherein he acknowledged upon oath, that on the fourth of April (the day before he went away) he ordered Thomas Norris to carry away his books of accounts, plate, and papers of great value, and a large quantity of tallow, which he then believed were arrived in Holland: that on the 5th he went away, in order to go to Ostend, but when he came to the sea-side, found the Amsterdam fleet was failed, and therefore he and Norris went on board the packet boat, and the weather being rough, he was sea-sick, and lost his 800 guineas out of his breast; and the packet-boat being driven back by the winds, he was taken at Sandwich, but Norris got off. He then owned likewise that he had shares in several ships, as an eighth part in the ship Fortitude, a fourth in the John, and in divers other ships and vessels. He also said, that he had two notes of William Thomas's (the prosecutor) unaccounted for; one for 700 l. and the other for 100 l. but did not produce any or either of these notes to the commissioners.

The prisoner, in his defence, pleaded, that he owed Thomas nothing, nor dealt with him but for ready money, and that Mr. Thomas had a note of
his

his for 500 l. which sum he was to pay away for him, but had not done it; and therefore reckoned him debtor for so much. To which Mr. Thomas replied, that there was an account of 1400 l. due to the Bank, which he was concerned with the prisoner in; and that there being 900 l. paid, the prisoner gave him the 500 l. note to secure him; so that in truth the debt was due to the Bank, to whom he was answerable, and not any way to the prisoner.

However, he still insisted he owed Mr. Thomas nothing, and that the commission was maliciously taken out against him, Thomas owing him great sums of money, and particularly the two notes he had mentioned in the examination; which notes, the prisoner, with a great deal of urgency, did at last produce, and were handed into court, and shewed to Mr. Thomas, with some other notes pinned together, which he looking on, solemnly denied the two notes; and which being afterwards viewed by the judges and jury, it appeared plainly to them that Mr. Thomas's hand was counterfeited, and that the body of the notes was written by the prisoner.

The prisoner then called one Mr. Forward, who had received notes under Mr. Thomas's hand for 665 l. from one Whitely in Holland, who had them from Norris: but that appeared very frivolous, the notes having been accounted for between Thomas and Town; and the ballance of that account was delivered into court by Mr. Thomas, the counter part of which, he said, was in the prisoner's custody, who producing one that he pretended to be such, that also was found to be a counterfeit.

One Mr. Walker, being called by the prisoner, deposed, that he being appointed by the commissioners to inspect the account between Mr. Thomas and the prisoner, he acquainted Mr. Thomas with it; who said, he would not go and see the prisoner, till he saw him go to be hanged.

hanged. He also mentioned the notes which Mr. Thomas had before denied.

The prisoner then called some people to prove as to the goods sent away, that he used to ship tallow and other goods to Holland and other places. A porter particularly swore, that Mr. Thomas told him, it was Norris that bought the goods he charged the prisoner with: but it being said, that Norris and the prisoner bought goods in partnership; and proved before, that those in question were packed up, and delivered by the prisoner's order, this evidence availed not much.

Another evidence deposed, that he had shipped off goods for the prisoner, at his wharf, but said also he had been a considerable loser by him in other things.

He then called several people to his reputation, but had the misfortune either to have them not appear, or if they did, to say very little in his favour: and in particular one Mr. Morgan, being against his will prevailed upon by the prisoner to speak, said, he was as great a rogue as any in England, or words to that effect; so that his whole defence was nothing to the disproof of the crime he was accused of.

During the trial he was desired by the court to produce his books; to which he answered, that he could not do it presently, but that they were in town. And awhile after, the same thing being mentioned again, he said he could not do it, for they were not in the kingdom; so that it plainly appeared he had no intention to produce them.

Then the Chief Justice gave his opinion and instructions to the jury; wherein he observed, that the statute says, conveying away money or goods to the value of twenty pounds in such a case, is felony. That it was proved he had more money taken upon him, and had concealed and made away with 800 guineas, and a great quantity of tallow: but that the conveying the tallow no way affected him; for being

accustomed to ship off such goods, that was no proof of fraud.

His lordship was of opinion, that what was read in his examination before the commissioners of bankrupts, ought not to be taken in evidence against him, because a confession taken in evidence ought to be voluntary, and those before such commissioners are not so. He also observed that the debts were fully proved, and that the notes and counterpart of the accompts seemed to be written by another hand than Mr. Thomas's; and that the prisoner, to clear himself of felony, had almost proved himself guilty of forgery: that he had given no account why he carried the goods and money beyond sea, and that sending his books away, and refusing to produce them, appeared plainly to be a design to defraud his creditors.

Upon hearing the whole matter, the jury found him guilty of felony, and he received sentence of death accordingly.

Before Mr. Town was convicted, he had a chamber to himself in the press-yard; but after sentence was passed upon him he was put into the condemned-hold with the other prisoners; and having before been subject to deafness, he there contracted a violent cold, which renewed that disorder; so that on his complaining of the disagreeableness of the place, he was removed to his former room.

A little time before his death, having in some degree recovered his hearing, he used to attend the prayers in the chapel, but would not acknowledge his guilt, and said that a certain person whom he had charitably relieved and saved from ruin, had been the occasion of his destruction: however, he professed to die in charity with his enemies, and begged God would forgive them as well as himself.

This

Engraved for the Tyburn Chronicle.



*Charles Lord Mohun, killed in a Duel in Hyde Park,
by James Duke of Hamilton and Brandon.*

This criminal was just forty one years of age, being hanged at Tyburn on his birth-day, the 23d of December, 1712.

This was the first instance of any man being convicted on the act which made it felony to conceal to the value of twenty pounds and upwards, under a commission of bankruptcy, and we wish he had been the last to deserve it.

He left behind him a considerable value in India bonds, hid in the room where he was confined in Newgate. These bonds were afterwards found by Mr. Cassils, who was many years confined in that prison, together with Major Bernardi and Mr. Blackbourne, on suspicion of being concerned in the plot for assassinating King William. Mr. Cassils very honestly restored the bonds to the family of Mr. Town, a circumstance which ought to be recorded to his honour.

The Trial of JOHN HAMILTON, Esq. for the Murder of CHARLES Lord MOHUN, and JAMES Duke of HAMILTON and BRANDON.

AT the sessions held at the Old Bailey on Thursday the 11th of September, 1712, Colonel John Hamilton was brought to the bar in order to be arraigned, but a writ of appeal being delivered to the Sheriff, at the suit of the Lady Mohun, against the said John Hamilton, for the murder of her lord, several council moved that his trial at the suit of the crown might be suspended, and give way to the writ of appeal: but this being opposed by other

council, and many arguments used on both sides, the court was of opinion that he ought to be tried on the indictment; and he accordingly took his trial on the following day.

JOHN HAMILTON, Esq. of St. Martin's in the Fields, was indicted for the murder of Charles Lord Mohun, Baron of Oakhampton, on the 15th of November preceeding, by comforting, aiding, abetting, and assisting the most noble James Duke of Hamilton and Brandon, and George Macartney, Esq. in giving the said Lord Mohun a mortal wound in and upon the right side of his body, near the short ribs, of the breadth of one inch, and the depth of fifteen inches, of which he instantly died.

He was also indicted upon the Coroner's inquisition for the same murder.

Another indictment was brought against him for comforting, aiding, and abetting the said Charles Lord Mohun, and George Macartney, at the same time and place, in murdering James Duke of Hamilton and Brandon aforesaid, by giving him one mortal wound on the left part of the breast, near the left pap, of the breadth of three quarters of an inch, and the depth of twelve inches; and another indictment was brought upon the Coroner's inquisition for that murder.

To all which he pleaded, Not Guilty.

Lord Mohun's footman deposed, that on Thursday the 13th of November, his Lord and the Duke of Hamilton met at a Master in Chancery's chambers in Chancery-lane, between six and seven o'clock in the evening, and that a paper being there read, wherein one Whitworth had given evidence, the Duke of Hamilton said that he, meaning Whitworth, had neither truth nor justice in him; to which Lord Mohun answered, he had as much truth as his Grace, to that purpose; that the Duke of Hamilton made no
reply,

reply, and soon after Lord Mohun came, and passed by the Duke as he was making water, but neither spoke to the other.

That afterwards his Lord went to White's Chocolate-house, and from thence went to supper at the Queen's-Arms in Pall-Mall, and then went home, and gave orders to let nobody speak with him next morning but Macartney; who not coming, his Lord went to Macartney's lodgings, where he staid about half an hour; and afterwards he and Macartney went to the Duke of Marlborough's, and continued there about the same time.

That in the same house where Macartney lodged, there was also one Colonel Churchill, to whom the evidence said, that he was apprehensive there was like to be a quarrel; and awhile after his Lord checked him severely for talking after that manner: that after they came from the Duke of Marlborough's, Lord Mohun went to Serjeant's-Inn, where he staid about half an hour, and then dined at the Globe in the Strand, with the said Colonel Churchill, Sir Robert Rich, and Macartney, and after dinner went away.

This evidence having been sent of an errand, called again at the Globe at five o'clock, but they were gone, and he afterwards found them at the play. This evening Lord Mohun supped at the Queen's-Arms in Pall-Mall, with the Duke of Richmond, Colonel Churchill, Sir Robert Rich, and Mr. Macartney. After supper Mr. Macartney sent this evidence to his lodgings, and when he returned, all the gentlemen were gone, and he could not find his Lord that night.

Having still a suspicion that some mischief was going forward, he went towards Hyde-Park about seven o'clock on Saturday morning, and seeing the Duke of Hamilton's coach going that way, he followed it, and with some difficulty got over the Park wall, that he might not be seen; but by the time he came up to
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the place where they were engaged, he saw both the noblemen fall, and two gentlemen, whom he imagined were the seconds, by them: one of these he knew to be Macartney, but he would not positively swear that the prisoner was the other; but swore that this other said, "We have made a fine piece of work of it," or to that purpose; and that Lord Mohun being helped up, reeled about two yards, and then falling down, presently died.

A drawer at the Globe-Tavern deposed, that on the 14th of the month, Lord Mohun, Sir Robert Rich, Colonel Churchill and Mr. Macartney dined there: that after dinner Macartney went out, and when he came in again talked privately with Lord Mohun, and then went away, and his Lordship returned to the company, but staid but a little while, and went in the same coach with Macartney: that Sir Robert Rich and Colonel Churchill staid an hour, and after they were gone Lord Mohun and Mr. Macartney came and asked for them.

A waiter at the Rose-Tavern in Covent-Garden deposed, that on Friday the 14th of November, Lord Mohun, and a gentleman in grey cloaths came thither; and being shewed a room, asked if stars and garters used the house; and on his answering that they did sometimes, they told him that the Duke of Hamilton would be there presently, and when he came bid him show him a room, but not bring him into theirs; that in a little time the Duke came, and another gentleman with him, and the Duke asked for Macartney, and the gentleman in grey, who hearing his Grace's voice went to him: the gentleman with the Duke then went away, and the witness carrying in a bottle of wine, they bid him be gone, for they would help themselves. The gentleman in grey passed several times between the Duke and Lord Mohun; and then the gentleman went away

away with the Duke; but the witness would not swear that this gentleman was the prisoner.

The Duke of Hamilton's porter deposed, that in the morning of the abovementioned day, Mr. Macartney's servant came to enquire if the Duke was stirring; and being asked what he wanted, said he came from a gentleman in the North; after which Mr. Macartney himself came, told his name, and said he had important business from the North to communicate.

After this the Duke went out, and coming in again about one o'clock, this witness told him who had been to ask for him, and desired to know where he might see him at four o'clock; and at that time Macartney came again, and staid with the Duke about a quarter of an hour; after which the Duke went out, and came in about six, and Col. Hamilton with him, and they dined together and then went out again, and the Duke came in again about eight, and staid all night.

The evidence being asked whether the prisoner used to dine there, answered, "very frequently."

John Lesley, the Duke's footman, swore, that on the 14th about five in the evening, the Duke went in a hackney coach to the British Coffee-house, and sent him for the prisoner, who came into the coach, and went into the Rose-tavern, where he bid the witness stay by the coach, while he and the prisoner were together: that the next morning by six o'clock, he was sent to the prisoner to tell him to get himself dressed, for the Duke would call upon him about business; that when he went, the prisoner was getting up, and the Duke called, and took him in the coach, and bid the coachman drive to the Park; and he being behind the coach, the Duke called to him, gave him some keys, and directed him where to find a mourning sword, which he brought, and the Duke threw it into the coach, bidding the coachman drive to Kensington,

ington, but they got out over against the lodge, and went upon the grafs between the ponds, the Duke having charged him to go and stay by the coach; that he, having a suspicion of mischief, was going back, and met Macartney going towards Kensington; and afterwards met the prisoner, who was going away in the Duke's coach, and told him the Duke was mortally wounded.

Andrew Clark, the Duke's coachman, swore, that before 6 o'clock, the Duke ordered him to get the coach ready, and when it was done, he retired three or four minutes, and then went and called the prisoner; and that he then sent the footman (as before-mentioned) for a sword; then he drove to the Park, and set him down, and that he saw Macartney come by with his waistcoat buttons all bloody, and in a very melancholy posture, and that he went out of the Park; and then the prisoner came, and he took him into the coach.

Richard Cook, servant at the Bagnio, deposed, that the Lord Mohun came in about one o'clock on Saturday morning, and asked for a portmanteau which was left by Macartney's servant; and being shewed a room, the witness pulled off his shoes and stockings, and he himself pulled off his coat and waistcoat; and afterwards Macartney came, and was put to bed in the same room: that he observed the Lord Mohun to walk in a melancholy posture before he went to bed, and when he lay down he fetched a deep sigh, and bid him be sure to call him by six in the morning.

Charles Chabaner of the Bagnio deposed, that Macartney's servant brought the portmanteau at 11 o'clock on Friday morning, and asked if there was convenience to lodge two gentlemen; that Lord Mohun came first, and was in bed before Macartney came, who talked with this witness while he was undressing, and

and asked him if he did not hate the French, and such like, but Lord Mohun spoke not a word.

When Macartney was in bed, he bid the witnesses be sure to call him at half an hour after six at farthest, for they were to go in a stage-coach. He called them accordingly, and got a pot of tea, changed a guinea for Lord Mohun, and then got a coach, they being in great haste, and Macartney bid the coachman make haste to Kensington.

John Pennington, a coachman, swore he was called from Bow-street-end to the Bagnio, where he took up Lord Mohun and Macartney, and drove them into the Park; when he came thither he was sent to the lodge for some burnt wine, while they pretended to walk: that afterwards the Duke of Hamilton and another person came to him, and asked where those gentlemen were that he brought, and he telling them which way they were gone, they went that way also; whereupon he mistrusted something, and went to the lodge, and called for help; that he saw them go over the ditch, and draw all their swords, but did not see the seconds push, though he saw them go to help the two Lords when they were down; that Lord Mohun was brought alive by three people to his coach-side; and after he saw him dead, he followed Macartney, telling him he must pay him, or else go into the coach; but he told him Lord Mohun's servant would pay him, and he was satisfied.

Joseph Nicholson deposed, that as he was driving a wheel-barrow in the Park, a person came from the Lodge, and desired him to come and help, for there was a duel; and having got a stick, he made all the haste he could: but when he came within about thirty paces, he saw Lord Mohun down, and the Duke of Hamilton fell over him; a gentleman being behind the Duke, and another behind the Lord, endeavouring to raise them with both their swords drawn, as had also the two Peers; that when he and others came

up, the two gentlemen delivered their swords, but the others were not willing to part with theirs; and Lord Mohun's sword was bent in wrestling it from him: that the said Lord beginning to faint, Macartney helped to turn him on his side, saying, he believed he was sick with bleeding inwardly; and at the same time bid him take notice, that the gentleman in grey cloaths and a laced hat endeavoured to part them.

The swords were produced, the Duke's and Lord Mohun's were very bloody, and Macartney's was bloody from the point to about twelve inches of the blade, and very much bent; but the prisoner's sword was not bloody at all, nor could the evidence say he was one of the four.

John Reynolds, who belonged to the lodge, gave an account, that the coachman asked for wine, and told him the two gentlemen he brought were gone to walk; but the witness was apprehensive that they were gone to fight, and bid the coachman look out, and told him he believed it was a duel, for he had seen two more come to look for them: whereupon he all the haste he could, and saw the Duke of Hamilton throw his cloak off, and Lord Mohun his furtout coat; after which he saw but two passes, and then Lord Mohun fell, and the Duke upon him: but before he could get up to them, the two gentlemen came to their assistance. He swore he did not see the seconds draw, nor could tell how near they were to the Lords, for the way was bad, and he could not look at them all the while he was going towards them; but when he came up, he assisted in taking the swords, and the Duke refused to deliver his.

William Morris (a groom) deposed, that as he was walking his horses towards Hyde-Park, he followed a hackney-coach with two gentlemen in it, whom he saw alight by the lodge, and walk together towards the left part of the ring, where they were about a
quarter

quarter of an hour before he saw two gentlemen more come to them; that after having saluted each other, one of them, who he is since told was the Duke of Hamilton, threw off his cloak, and one of the other two, who he now understands was Lord Mohun, his surtout coat, and all immediately drew; that the Duke and Lord pushed at each other but a very little while, when the Duke closed, and took the Lord by the collar, who fell down and groaned, and the Duke fell upon him; that just as Lord Mohun was dropping, he saw him lay hold of the Duke's sword, but could not tell whether the sword was at that time in his body; nor did he see any wound given after the closing, and was sure Lord Mohun did not shorten his sword. He declared he did not see the seconds fight, but they had their swords in their hands, assisting the lords, as before.

This evidence was nearest, and saw most of the action; but all the witnesses declared they could not well see the seconds, because the principals were fighting between them and the witnesses.

Henry Amy, a surgeon, deposed, that he found the Duke of Hamilton had received a wound by a push, which had cut the artery and small tendon of his right arm; another in his right leg, eight inches long, which he supposed to be by a slash, it being very large; another small one in his left leg, near the instep; and a fourth on his left side, between the second and third ribs, which ran down into his body, mostly fore-right, having pierced the skirt of his midriff, and gone through his caul; that the wound in his arm caused his dying so soon; and that he might have lived two or three days with the wound in his breast, which wound could not be given but by an arm that reached over, or was above him.

He further deposed, that he also viewed the Lord Mohun's body, and found that he had a wound between the short ribs, quite through his belly, and

another about three inches deep in the upper part on his thigh; a large wound about four inches wide in his groin, a little higher, which was the cause of his immediate death, and another small wound on his left side; and that the fingers on his left hand were cut.

Paul Bouffier, another surgeon, deposed, that about a quarter after eleven on Friday night, on the 14th of November, a footman came for him to go to the Duke of Hamilton's; but he being in bed, and not well, asked if the Duke was ill, and being told he was not, desired to be excused till morning: that the next morning Mr. Ferguson came to him about seven, and said, the Duke desired him to take coach, and come to Hyde-park, to dress him if there should be occasion; that not being up, he sent a servant, and some time after went to the Duke's house, and found him dead; that he opened the body, and perceived a wound between the second and third rib, entering down into the body, inclining to the right side, which could not be given but by some push from above. He said, the issue of blood was the immediate cause of the Duke's death; and being asked if that wound in the arm would hinder the holding his sword in his right hand, he answered, he might use that arm for awhile, it being the small, and not the main tendon that was cut.

Robert Talbot (Bouffier's servant) deposed, that by his master's orders, he went to Hyde-Park with Mr. Ferguson, who set him down at the public house, and bid him stay till called for; and that after awhile he was called, and found the Duke wounded as before, and upon feeling, found he had no pulse, and that he died soon afterwards.

Mr. Ferguson gave evidence, that on Saturday November 15th, about seven in the morning, the Duke his master sent for him, and after having made him promise secrecy, told him he had a challenge, and
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was obliged to vindicate his honour; wherefore he bid him get Bouffier ready to attend in case of need; but Bouffier not being ready, he took his man, and before he came to the Park all was over.

Mr. Mafon, the Duke's secretary, deposed, that on the 13th of November, he dined with his Grace, and went afterwards with him to Mr. Orlebar's Chambers in Chancery-lane, where he heard him object against Whitworth, as one who had forgot himself about a year ago, and was not now to be believed; and that the Lord Mohun was in liquor, and used the words, or to the same purpose, as mentioned by Lord Mohun's footman.

The prisoner in his defence said, that the Duke called him to go abroad with him, but he knew not any thing of the matter till he came into the field: and called several Noblemen of Scotland, and other persons of quality, who all gave him the character of a very honest, gallant, inoffensive man.

After which the court summed up the evidence, none of which being sufficient to prove the prisoner's knowledge of the duel, the jury found him guilty of Manlaughter, upon the two indictments, and acquitted him of the coroner's inquisition: after which he prayed the benefit of the statute, which was granted.

Account of the Trial and Behaviour of RICHARD KEELE, and WILLIAM LOWTHER, condemned for assisting CHARLES HOUGHTON in the commission of a Murder.

AT the sessions held at the Old Bailey, on the 10th of December 1713, *Richard Keele* and *William Lowther* were tried for aiding, abetting, comforting

forting and assisting Charles Houghton in the murder of Edward Perry, on the 19th of September, preceeding, by throwing him down on the ground, bruising him, and giving him a wound with a sword on the left side of his body, of which he languished till the third of October, and then died.

In the course of the evidence it appeared that the prisoners, together with Charles Houghton and John Cullum, having been convicted at the Old Bailey of divers felonies, were committed to Clerkenwell Bridewell, to be kept to hard labour for two years. When they were brought to that prison, Mr. Boreman, the keeper, thought it necessary to put them in irons, to prevent their escape; this however they refused to submit to, and swearing they would loose their lives first, attacked Boreman and his servant, beating and bruising them with irons in a barbarous manner.

It appeared that Lowther bit off the tip of one man's nose, stabbed him twice with a knife, and wounded him on the head: after which they broke into the place where the arms lay, and forced the keepers out of the prison; which being done, they swore they would never be ironed, but rather all die on the spot.

Edward Perry, (the deceased) being then without the gate, desired them to be peaceable, and advancing towards them, Lowther took him by the hand in seeming friendship, and Houghton stabbed him. In the mean time the Keeper and his people having got some arms and assistance, fired on these fellows, by which Houghton was shot dead, and both the prisoners wounded; upon which all the other prisoners attempted to make their escape, and several of them actually got over the wall, but they were almost all retaken, by the vigilance of the Keeper and his friends; Cullum however effected a perfect escape.

Keele

Keele made a kind of defence, in which he endeavoured to excuse himself, by saying that he would have accommodated the difference; but the court told him, that as he had been concerned with the others in obstructing the keeper and his servants in the discharge of their duty, he was equally guilty with the rest. The jury brought in the prisoners guilty of murder, and they received sentence of death.

Richard Keele, who was born at Rumsey in Hampshire, was about thirty three years of age, and was brought up at Winchester, where he learnt the art of wig-making. From Winchester he came to London, and kept a Barber's shop in Rotherhithe for six years; but some disputes happening between him and his wife, they parted, and he had lived an irregular life ever since.

Keele denied his being guilty of the fact for which he suffered, saying, that so far from intending the mischief, he did all in his power to prevent it; yet he acknowledged the justice of God in his punishment, saying that he had been a very bad man, though not so bad as the world had represented him. He said that the particular sins which lay heavy on his conscience, were whoring, drinking, swearing and sabbath-breaking, and that for six years past, he had lived with Arabella Thomas, the wife of another man.

William Lowther was born at Whitehaven in Cumberland, was twenty-two years of age, and brought up at Newcastle almost from his infancy. He said he had used the sea almost ten years, and was at one time master of a small collier, which his father gave him, that traded between Newcastle and London; and that he might have done well if he had kept to that honest employment.

He said, that when the keepers of Bridewell came to put on the fetters, he opposed them, but that he intended no mischief, and therefore what happened there

there was not his fault; and if in the hurry he was then in, he had hurt any person, or done any thing he should not have done, he was very sorry for it, and begged pardon, which though he did not expect in this world, he had hopes of receiving in the next.

He acknowledged that he had been guilty of many vices, but that having been a prisoner in Newgate for debt, the conversation he there had with felons, made him a much worse man than he had been before; but he said that he never was a common thief in his life, and that he never had been tried till the preceeding September, when he was convicted, and committed to Bridewell as abovementioned; yet he denied being guilty of the felonies of which he was then convicted.

On the morning of execution, these criminals were carried from Newgate to Clerkenwell-green, where they were executed on a gallows erected for that purpose.

As they were going to speak to the people in their own vindication, they were stopt by the Ordinary, who told them it was more proper for them to apply to God for the pardon of their sins, and the salvation of their souls; which advice they complied with, earnestly praying to God for mercy. Keele then asked the deputy sheriff, whether his body was to be buried, or hung in chains, of which he had some suspicion, by the Smith's going to take measure of him and Lowther for their chains, but they would not let him do it. He was answered, "Pray, Sir, don't concern yourself about your body, but take care of your poor soul." He then fixed his eyes on his book, and never quitted it till the cart drove away.

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Being cut down, their bodies were put into a cart drawn by four horses, decked with black plumes of feathers, with several party-coloured ribbons; and being conveyed to Holloway, were hung in chains.

The copy of a letter sent to Mr. Richard Keele, in the condemned-hold, the night before he suffered.

Mr. Keele,

London, Dec. 22, 1713.

I AM heartily sorry for the fatal circumstances you now lie under; and though I have received some injury at your hands, yet I freely forgive you; but as you are a dying man, I beg of you to do me that justice, as to inform Mr. Lorrain, before you leave this world, whether I was guilty, or not, of that most horrid crime of blasphemy, for which I was convicted with you and George Milson at the Old Bailey; for that will be very satisfactory to me, because I may not still lie under the aspersions of ever being thought so prophane a person as those ill-minded people who swore against us, represented me on my trial. It now lies in your power to justify my innocence in that matter; so most sincerely praying God to have mercy on your poor soul, which I hope he will most graciously receive into his eternal rest; give me leave (after exhorting you to behave like a true and good Christian, the few moments you have to reside on earth) to subscribe myself,

Your humble servant,

B. BOURAGE.

Mr. Keele's Answer.

Mr. Bourage,

I Received your letter, and in answer thereto, I send you this; that as for the injury you received from me in the quarrel that happened between us, it was your own seeking; so I hope I have nothing to an-

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swer for it: but, however, am glad you forgive it, as lying under such circumstances; and as for the blasphemy which you and I were sworn against wrongfully, you are very sensible, as well as I, that we were all sworn against falsely; so as I am a dying man, I freely clear you as in my company, which I hope you will do me the like justice. This, Sir, is all I can say, only desire you will pray for my dear soul, which I hope God Almighty, out of his great mercy, will receive into his heavenly kingdom: from

Your humble servant,

RICHARD KEELE.

Account of the Trial and Execution of Mr. RICHARD NOBLE, Attorney at Law, for the Murder of JOHN SAYER, Esq. with many curious particulars respecting the Amours of Mr. NOBLE and Mrs. SAYER.

THERE is something so extraordinary in the following story, that our readers cannot fail of being pleased with having all the particulars related at large. Herein the thoughtless of both sexes may see the fatal consequence of indulging their irregular passions, and that the commission of one crime naturally leads to the commission of another, till in the end ruin overtakes the perpetrator, and the gratifications of unlawful love, end in the agonies of a shameful death.

John Sayer, Esq. whose death was the unhappy occasion of the following narrative being made public, was Lord of the Manor of Biddleston in Buckinghamshire,

inghamshire, which is worth eight hundred pounds a year, besides which he possessed about two hundred a year more, and his mother's jointure of one hundred. He was an honest good-natured man, and of a remarkably easy and quiet disposition.

In the year 1699, Mr. Sayer married Miss Mary Nevil, daughter of Admiral Nevil, who, though not a first-rate beauty, had no small share of wit, and charms sufficient to have rendered her a very agreeable woman, had she not wanted the great requisite to all female beauty, a virtuous mind.

After the death of Admiral Nevil, his widow married Colonel Salisbury, a gentleman whose character for honour and bravery, might have entitled him to the possession of a much more deserving woman.

By the marriage articles between Mr. Sayer and Miss Nevil, it was agreed, that the young Lady's share of the estate, devised by the Admiral, which being undivided, was thought to be upwards of 3000l. besides jewels, should be valued in the settlement in the following manner: Mr. Sayer, on the receipt of 1000l. was to settle on his wife 50l. pin money, and 100l. a year for every thousand pounds of the residue of her fortune; which annuities were to be employed by trustees, for the separate use of the wife.

Scarce a fortnight had passed after the consummation of the nuptials, before Mrs. Sayer kicked her husband, and upbraided him in such a manner, that it was easy to foresee that she would soon procure herself that satisfaction in a lover, which she took care to insinuate was not to be obtained from her husband. The poor man however was blind to all her faults, and doated on her almost to distraction.

At the end of about a year Mrs. Sayer was delivered of a daughter, who died in her infancy. Her husband's love for her, after she had made him a fa-

ther, increased to such a degree, that he thought nothing too good for her that was in his power to procure. He made her frequent and valuable presents, took a town-house for her in Lisle-street, Leicester-fields, set up an equipage, and endeavoured by every possible means to recover her wandering affections; but the lady did not give herself the trouble to conceal the disgust she had conceived against him, publicly declaring that she would never again admit him to her bed.

Hereupon this unfortunate husband consoled himself with the company of other women; but the common consequence of a promiscuous commerce with the sex soon overtook him; he contracted a filthy disorder; and so little care did he take to keep the affair a secret, that his wife and all the family knew the reason of his taking physic: however, the disease was soon cured, and his health perfectly re-established.

Whether Mrs. Sayer dreaded the scandal of such another adventure, or whether it arose from her natural inconstancy, we will not pretend to determine, but soon after this accident, she of her own accord admitted her husband to participate the pleasures of her bed. The ill effects of her good nature soon appeared on her side; the disease seized her, and if the Surgeon's word was to be relied on, it was a mystery how she came by it: be this as it will, Mr. Sayer was obliged to go through another course of physic.

The lady was not soon appeased; whoever was the cause of the late disaster, the husband bore the blame of it: she once more forbade him her bed, and consoled herself with the company of a gentleman of the army; but we must suppose that the husband sometimes shared in her favours, for in the year 1703, she again became a mother. After the birth of this child she indulged her passions still more freely, nor did she scruple to ridicule her husband, whose want of vigour, she pretended, was a sufficient justification

tification of her crime ; and in this scene of ridicule she was assisted by her mother, (Mrs. Salisbury) who was almost constantly with her.

Thus did these ladies employ themselves in rendering miserable the life of one of the most inoffensive men in the world, and one whose happiness it was equally their duty and interest to promote ; and at length their malice arose to such a height, that they fomented a quarrel between Colonel Salisbury and Mr. Sayer, from which a challenge ensued, the consequences of which, these unworthy women flattered themselves, would be the death of both their husbands.

The particulars of this affair are as follow : Colonel Salisbury being in company with Mrs. Sayer, took an opportunity to reprove her for her infidelity to her husband ; on which she returned him such a volley of ill language, that, provoked beyond all patience, he threw the remains of a dish of tea at her, part of which flew in her face. This was what the women wanted : the mother now repented the affront offered to her daughter, and both of them together joined to work up Mr. Sayer to such a pitch of resentment as to demand satisfaction of the Colonel.

Sayer having once agreed to revenge the ladies quarrel, they took him whilst he was warm, and it is said that Mrs. Sayer herself drew up the challenge, and sent it away to the Colonel. The time and place of meeting being appointed, the two gentlemen took coach, and drove towards Montague-house, in their way to which the Colonel began to discourse with Mr. Sayer on the occasion of the quarrel, not through any fear of fighting, for his courage and skill were well known, but to prevent the mischief that would most probably accrue to both of them, if they pursued their present plan,

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When Mr. Sayer was brought into temper, which was easily effected, "Son Sayer," cried the Colonel, "let us come to a right understanding of this business. 'Tis very well known that I am a swordsmen, and I should be far from getting any honour by killing you: but to come closer to the point in hand; Jack Sayer, thou shouldst know, for all the world knows, that thy wife and my wife are two whores; they want to be rid of us both at once: if thou shouldst drop, they'll have me hanged for it afterwards." These observations, so full of truth and reason, opened Mr. Sayer's eyes: the coach drove back again; and the Colonel and his son-in-law parted good friends, to the great mortification of their respective wives.

Mrs. Sayer had amorous connections in the country as well as in town, and it was well known to all the servants, that the Curate of Biddlefden's authority in the family was greater than Mr. Sayer's. At length Mr. Lucas, (for that was the gentleman's name) came to London, where he sickened of the small pox, and grew so bad that there was no hope of his recovery: finding his end approaching, he sent to Mr. Sayer, desiring, on the request of a dying man, a visit from that gentleman, to whom he wanted to communicate some affairs which hung heavy on his conscience.

Mrs. Sayer, who had a tolerable guess at the sick man's business, would not permit her husband to visit him, for as her mother had not had the small pox, she insisted that there was the utmost danger of her catching that disorder; yet the footman was permitted to go backwards and forwards between Mr. Lucas and the family, and the censorious world was apt to imagine, that there was as much danger of the infection being conveyed through his means as that of Mr. Sayer; and in the end the parson died without seeing that gentleman.

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The place of the parson was supplied by a Colonel in the army, and a greater man than either the Colonel or the Curate, was supposed to have connections with Mrs. Sayer ; for he was known to make her a present of a compleat set of china, which she told her husband she had won at Astrop-wells.

We now come to that part of our history, in which Mr. Noble makes his first appearance. He was the son of one Mr. Noble, who kept a well-frequented coffee-house at Bath. As his parents were people of some substance, they had given him a very liberal education ; and his mother was a woman of so much virtue, that when her son came rattling to Bath with Mrs. Sayer in a coach and six, she shut the door against him.

Mr. Noble's business as an attorney, was said to be of the inferior kind, when he was recommended to Mr. Sayer, by a gentleman who wished well to both parties, and little imagined that Noble would have made so ungrateful a return to Mr. Sayer's friendship, as it appears he afterwards did. He was but a little while acquainted in the family before he was too much in the good graces of Mrs. Sayer, and was indulged in such liberties as would make a man of an amorous complexion envy his good fortune.

Mrs. Sayer and her mother, however, thought of other matters as well as gallantry ; and finding Noble to be a fellow fit for business, they concerted with him a project to possess themselves of a considerable part of Mr. Sayer's estate ; who at length, to purchase that peace and quietness he had long wanted, consented, in the year 1709, to a deed of separation, by which he made over several lands in Biddlesden, of the yearly value of 150 l. in trust for the use of his wife, besides 50 l. a year pin-money, for her separate maintenance ; and in this deed was a covenant or clause, importing that, by the consent of the mother, Mrs. Salisbury, first signified under her hand,
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it might be lawful for Mrs. Sayer to live how, where, and with what man she pleased; and Mr. Sayer covenanted not to sue or molest any person for harbouring her. He was so weak as to trust the drawing of this deed to his wife's council, and had none of his own to examine it.

Soon after the execution of this deed Mrs. Noble was brought to bed at Bath, at a house provided for her by Mr. Noble; but that the birth of this child might not make too much noise, a letter was contrived and sent to Mr. Sayer in August, 1710, intimating that he was pricked down for the Sheriff of the county of Bucks; and Mrs. Salisbury, in order to get him out of the way, offered to supply him with money, which he accepted, and going over to Holland, promised to remain there till the Lady-day following.

Not many days before Mr. Sayer set out, when he was so lame of the gout that he could hardly stir, his wife and Mr. Noble plied him with punch till he was dead drunk: but this debauch, instead of making him worse, as it is supposed they intended it should, perfectly cured him of the fit of the gout.

The night before his departure, he made Noble a present of a pair of fiddle pistols and furniture worth above 40 l. Mrs. Sayer never wrote him but two letters all the while he was in Holland; and her maid talking to her one day of the danger her master was in at sea, she said that "She should be sorry his man
" James, a poor innocent fellow, should come to any
" harm; but she should be glad, and earnestly wished
" that Mr. Sayer might sink to the bottom of the Sea,
" and that the bottom of the ship might come out." Affidavit was made of this on the 9th of February, 1712.

When Mr. Sayer was gone abroad, Noble began to shew his consequence more than ever. He obliged the trustees, nominated in the marriage articles, to
relinquish,

relinquish, and assumed the authority of a sole trustee. This was in pursuance of an order of the Court of chancery, and Mr. Noble was solicitor in the cause.

Before the execution of the abovementioned deed of settlement, Noble made but an ungrateful return for the kind entertainment he met with at Biddleston, it having been sworn that he was seen to go to bed to Mrs. Sayer.

On the 23d of May, 1711, Mrs. Sayer went absolutely away from her husband, and carried off with her in Exchequer bills, tallies, and other effects, to the value of 2000 l. Her lodgings were private, but Mr. Noble had free access at all times, and at all hours. On the 5th of March 1711, she was delivered of a son by Doctor Douglas: Sir David Hamilton, who had been to visit her some time before her lying-in, was retained, and promised to deliver her, but at the time of her wanting him for that purpose he happened to fall sick, which was the reason she had Doctor Douglas, who was recommended by Mrs. Scoffing, the midwife. Mrs. Sayer being asked by her, why she would be laid by a man? replied, she was always laid by men, and she thought it more their business than a woman's. Upon Mrs. Sayer's elopement, Mr. Sayer put this advertisement in the Post-Boy of March 1, 1712.

“ Whereas Mary, the wife of John Sayer, Esq. late
 “ of Little-street, St. Ann's, went away from her
 “ dwelling-house on or about the 23d of May last,
 “ in company with Elizabeth Nevil, sister to the said
 “ Mary, and hath not since been heard of, and hath
 “ carried away near 1000 l. in money, besides other
 “ things of a considerable value, and is supposed to
 “ go by some other name; he desires all tradesmen
 “ and others, not to give her any credit, for that he
 “ will not pay the same.”

Jane Terry, servant to Mrs. Sayer, swore that in 1711, Mrs. Sayer had a great belly, had milk in her breasts, and looked like a woman with child; that this deponent imagined she had taken lodgings at Strand on the Green for the purpose of being brought to bed; but as she was pretending to go thither, Noble put her into a coach in Piccadilly, and conveyed her to lodgings where she was delivered.

The reader, however, is not to suppose that Mr. Noble had entire possession of Mrs. Sayer's person without a rival: but his pockets were filled with money, and he lived well by the connexion. When she travelled from the country to town, or from London to the country, he was generally one of her attendants, and it was no secret on the road what business Noble had at Biddlesden. Whenever he was with her, she was always denied to every body else; yet sometimes, as soon as he was gone, she would go into other company, that she liked quite as well as his.

In Michaelmas term 1711, Mr. Noble being the Attorney in the cause, Mr. Sayer was taken in execution for 400 l. at the suit of the trustee (but without his privity) in trust for Mrs. Salisbury. This was for a judgment confessed by him for form sake, to protect his goods from his creditors, while he was in Holland. The real debt, as Mr. Sayer said, was not above 70 l. however he turned himself over to the Fleet, and being a prisoner there, opportunity was taken to deliver ejectments in Hillary Term following; and in February the same year, Mr. Sayer exhibited his bill in Chancery for a relief against these suits, and the deed of separation, which he obtained.

An injunction, and several insufficient answers were put in; but before the same were referred, the ungrateful and inhospitable Noble compleated the measure of his crimes, and finished the suit with his death. In this suit Mr. Noble forswore himself; at one time swearing he was Mr. Sayer's Attorney, at another time that he was not. We have seen how he

he was in possession of Mr. Sayer's wife, money, jewels, person, and estate. He wore his cloaths, sword, and watch, strutting about in Mr. Sayer's roqueleau, which cost twenty-six guineas.

His suits with this unhappy gentleman were the main of his business as an attorney, not that he wanted qualifications to recommend him to a larger share of it. He had a stock of sense, and had he preserved his character from the indelible stain of this the foulest of actions, the man would have worn a fair reputation, and his conversation been far from contemptible. His chambers were in New-Inn, and there in Michaelmas Term 1712, upon oath of Mrs. Sayer's adultery with him, and of her elopement, he was arrested in an action of 500l. with a judge's order for bail. Of this matter more will be said in Farrington the Bailiff's deposition.

The execution Noble had sued Mr. Sayer to, was the occasion of his lying in the Fleet so long. The money his wife ran away with, would have gone a great way to have cleared him of all his debts. His greatest creditor was Mrs. Nevil his sister-in-law, to whom he owed above a thousand pounds. He offered his wife two hundred pounds a year when he was in the bailiff's hand, but she would not take it; and as if it was not enough to have made him miserable while she lived with him, she seemed resolved that his misery should have no end but with his life. This made him very industrious to come at her, knowing, that if he could get the possession of her, some of his effects would be saved.

We will now proceed to the manner of Mr. Sayer's apprehending his wife, with all the ensuing circumstances from the time of taking her, to that of Noble's conviction. It must not be omitted, that some time before Mrs. Sayer was taken, her husband received a letter from an unknown hand, informing him, that the writer knew where was the value of six or seven

hundred pounds of the jewels his wife carried away with her. Pursuant to the advice in that letter, Mr. Sayer met the writer at the Crown-Tavern on Ludgate-Hill, and by that means recovered to the value mentioned, one of the jewels being worth 150l.

He never heard of her from the time of her elopement, till, after much enquiry, a friend of his found out, that Mrs. Sayer had retired into the Mint, they being all of them, the wife, the mother, and the gallant, afraid of the husband's pursuit, and thought that place would be a security. Mr. Sayer was so good natured, that notwithstanding all this provocation, he wrote several letters to his wife, offering to forgive all past miscarriages, and to be very kind to her if she would return to him.

When his friends had certain information where she was, on Thursday morning the 29th of January, 1712, Mr. Sayer got a warrant from Sir Charles Cox to take up his wife, she being gone from him, and living in a loose, disorderly manner. The managers of this affair took him along with them in a coach to the Mint, where the warrant was put into the hands of two constables, with about half a dozen assistants. At three o'clock in the afternoon they repaired with it to the house of Joseph Twyford, in George-street in the Mint. The constable made him sensible, before they came in, what they were, and that they had a warrant to search for a suspected person. A very necessary caution to prevent the cry of an arrest, which would have hindered the execution of the warrant, by raising the mob of the place, who were always ready to vindicate their pretended privileges.

Mr. Sayer went in person with the constables to Twyford's house, where Mr. Noble, Mrs. Sayer, and Mrs. Salisbury, were at dinner in the back room. Upon the coming in of Mr. Sayer, and the constables with him, a Fray ensued, and Mr. Noble making
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ing a pass at him with the door in his hand, ran him into the left breast, and killed him upon the spot.

After the murder was committed in the manner related in the following depositions, Mr. Noble, Mrs. Sayer, and Mrs. Salisbury, were all taken prisoners by the constables; and as they were carrying along the Mint, the two ladies were particularly unruly, crying out on the hard fate of their dear Mr. Noble. A gentleman, who was a spectator of this event, seeing the multitude began to be moved a little, bad one of the constable's assistants advance the bloody sword, and carry it before them, which hindered the rabble's stirring; no creature being so barbarous, as to interrupt the course of justice in a case of blood. However, the two women, who seemed in no concern but for Noble, so alarmed the standers by, that the constables were twice or thrice stopt by strangers.

Money enough was offered for his rescue; but the constables carried all three in safety before Ralph Hartley, Esq. a justice of the peace, who, assisted by another justice, took their examination. After two hours examination, Mr. Noble was committed to the Marshalsea, for the murder of Mr. Sayer. While they were examining him, a certain barrister at law appearing in the behalf of the other prisoners, Mrs. Sayer and Mrs. Salisbury, their case was debated till about ten that night, when they were committed for further examination only.

On Saturday morning the Coroner's Inquest was taken on the body of the deceased, and adjourned till the Tuesday afterwards; but the corps of Mr. Sayer having been viewed by them, was removed that night from the Mint, to his lodgings in the rules of the Fleet, in order to its interment.

The Coroner's inquest having found Noble guilty of wilful murder, and the ladies having been committed for aiding and assisting him in that murder, they were, after six weeks confinement, brought to
their

their trials at Kingston Assizes, of which the following may be depended upon as a just account.

On Thursday evening, March 12, Richard Noble, Mary Sayer, and Mary Salisbury, were arraigned for the murder of John Sayer, Esq. upon three several indictments, viz. One against Noble for wilful murder, and against Mary Sayer and Salisbury as aiding and abetting the said murder; one other against Noble upon the statute of stabbing, and the third on the Coroner's Inquest. To these indictments the prisoners pleaded Not Guilty. The court set them aside, and bid them prepare for their trial next morning by six.

On Friday morning at six the court sat, and the prisoners were set to the bar, when they made several excuses to stave off their trial till afternoon, because that Mr. Bull (a very material evidence, as suggested by the prisoner's) was not come; the truth of this assertion being demanded by the court, to be made out upon oath by service of subpæna upon Mr. Bull, the prisoners swore Mr. Lindsey, one of their attornies, who deposed, that he filled up a subpæna for serving Mr. Bull, but spoke no further to the service of it, than that a messenger was sent at twelve o'clock to London to serve it.

This device not succeeding, they alledged that Mr. Page the council, another very material evidence, was not come, and that he was served with a subpæna, and they looked for him every hour. To this point Mr. Lindsey was examined again; he swore he served Mr. Page with a subpæna on Sunday, and that he thought he would be at the trial. Upon further examination of him, as to this point, the court was pleased to take such notice of Mr. Lindsey, as to check him severely, and bid him three times depart the court (having taken notice of his name.) So all these pretences failing, the court proceeded to trial.

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The intent of putting off the trial probably was, that the business at the other bar being dispatched at this time, the juries returned there might be gone home, so more unlikely to have a sufficient number of jurymen, that by their challenges the trial might be put off till next Assizes.

The Queen's Council, Mr. Serjeant Comyns and Mr. Not, opened the indictments, and set forth to the court and the jury, how heinous the crimes of the prisoners would appear on the evidence: and the first witness they called was Daniel Reeves, who proved that one James Hannon (an Irishman) on Thursday evening before the trial, came to him, and shewed him copies of the examination, taken on the Coroner's Inquest, of Samuel Durham, Thomas Gardner, and John Coe, (three of the Queen's most material witnesses proving the murder.) Hannon then gave him in money half a crown, and desired him to procure or hire two other men to swear with him, against those examinations, and promised him two guineas for himself; the other two men were to have what Reeves could agree with them for, and Mr. Noble would give Reeves a larger satisfaction than he could expect.

On Friday evening Hannon came to him again, and gave him another half crown to spend upon Durham, Gardner, and Coe, and ordered him to make what agreement he could with them to stifle and buy off their evidence, and on Saturday Hannon would bring him part of the money. On Saturday Hannon came to Reeves again, to know what progress he had made; invited him to dinner on Monday, and desired him to bring the other two men Reeves was to hire, with him, he having a note in writing under his own hand, where to find his house, viz. At No. 10. in College-street, Westminster.

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On Monday morning Hannon came to Reeves again, gave him a writing in the nature of an affidavit, drawn on stamp paper by the prisoners, which he, and the two men he pretended he had hired, were to swear before a judge, and gave him nine shillings in money then.

Whilst Hannon was tampering in this manner with Reeves, the latter intimated it to the prosecutor's attorney, and after he had got this affidavit from him, he excused himself from his company, and carried it to this gentleman. Reeves shuffled off dining with him, and when Hannon came to him again in the afternoon, Reeves still treated with him till the evening, when a warrant was procured from Justice Hartley, and instead of two persons who should have been the two that were to forswear themselves, two constables appeared, whereupon Reeves told Hannon, these are my two friends. Hannon embraced them very civilly, and a third constable coming up according to order, Reeves immediately seized Hannon's sword, and said to the constable, "you charge me with this gentleman." They took him directly before Justice Lade, where, upon examination, he denied the fact, but what he did in relation to the money, he hoped to justify, because the prisoner's council told him he could. Hannon was kept in custody all that night, and committed, for want of bail, to the Marshalsea next morning.

The words of the abovementioned affidavit are as follow, viz.

' George Smith and Samuel Shipman, both of the parish of St. Botolph, housekeepers; and Daniel Reeves, of the parish of St. George, Southwark, make oath, that on or about the 29th day of January last, these deponents saw Mr. Cox and Mr. Hill, the constables, with several other persons, in company of
' Mr.

' Mr. Sayer, the deceased, to go from Mr. Sherlock's
 ' House in Queen-street in the Mint, a Brandy-shop,
 ' to one Mr. Twyford's house, wherein they entered,
 ' and on their being asked what their business was, refused
 ' to tell. And these deponents heard the deceased Mr.
 ' Sayer (as he went into the said Twyford's house) threa-
 ' ten or say, that he would be revenged on that villain
 ' Noble, and on his wife, and that he would kill them
 ' then, or be killed. And these deponents saw the
 ' deceased go up stairs and come down again, leaving
 ' both the constables above stairs; and on his coming
 ' to the parlour door (where Mr. Noble was) drew
 ' his sword partly out, and said, " Damn you, you vil-
 ' lain, now I have found you," and instantly pulled at
 ' the said door, and broke off the bolt that was with-
 ' in side of the said door, and thereupon the deces-
 ' ed, after his sword was almost wholly drawn out,
 ' stepped backwards, and in about a minute, went to
 ' go down the two steps into the parlour, and seemed
 ' to be pushed down, and then some said he was in a
 ' fit, and fetched him water. But these deponents
 ' say, that these deponents stood very near the deces-
 ' ed, yet could not see, nor do they believe that any
 ' other person (considering the situation of the place,
 ' and the little door being but part open) could see
 ' who gave the said wound. And these deponents
 ' further say, they know Samuel Durham to be a
 ' poor necessitous taylor in the Mint, of a most
 ' infamous character, and are certain he was not in
 ' the said house till after the deceased was wounded,
 ' and the sword which James Terry (the deceased's
 ' footman) and others then present said, gave the said
 ' wound, was taken up in the kitchen; and further
 ' say, that before the deceased broke open the said
 ' door, they saw the said Terry with a cane in one
 ' hand, and a brass-hilted sword undrawn in his other
 ' hand. And lastly, these deponents heard the said
 ' Terry abuse the said Mrs. Sayer, giving her very
 ' No. 5. Y bad

‘ bad words ; he also told her, that rather than fail,
 ‘ he would offer his service to the sheriffs to hang
 ‘ her, and that he would soon see the end of her; and
 ‘ she answered, “ Sirrah, it is hard to be abused by
 “ the master and man too.” And these deponents
 ‘ being in the room when the deceased fell down,
 ‘ heard the said Mrs. Sayer say no other words, but
 ‘ believe they should if she had said any.’

It will presently be perceived, that if Hannon could have got some bold witnesses to have sworn all this, which he laboured to do, Noble might have come off.

Facts preceeding the murder, proved by the following depositions.

John Farrington deposed, that he was bailiff to the sheriff of Middlesex, and had a warrant delivered him at the deceased’s suit against the prisoner Noble : he arrested Noble in his chambers, and when he was arrested, Noble declared and said, G——d d——n him, if he had Sayer the plaintiff there, he would stick his sword through his body, and he would do it whenever he met him next ; but when he arrested Noble, he was sick, and the deceased (the plaintiff) ordered the witness not to take him out of his chambers, but to use him civilly. It must not be forgot, that Mr. Noble objected to the bailiff Farrington’s evidence for the Queen, saying, he swore maliciously, because when Noble was under arrest, he extorted ten guineas, and for that the next term the prisoner Noble moved the court, and made him refund.

The bailiff had aggravated the prisoner’s guilt by giving out, that when he had him under arrest, Noble said he would send Sayer out of the world the first opportunity ; Farrington could not help replying,
 “ You

“ You have had much of his goods, and lain with his wife, why should you do so ?” Noble answered, D—n him, he would.

Jeremy Barnard deposed, he was summoned to Kingston assizes, on the jury upon life and death, and that one Luke Jones, carrying Mr. Stagg an attorney by water, on Friday the 6th of March, and telling him he was summoned on this jury, Mr. Stagg ordered him to tell Barnard, if he was got off, Stagg could help him to twenty pounds: Jones asked on what account; Stagg made answer, “ If he would bring in the gentleman that killed the man in the Mint Not Guilty,” they having a thousand pounds and upwards, and would spend it all on the jury to save his life, for it lay in the breast of the jury only, because they had been with the Queen to get a pardon, but could not get one.

Luke Jones was called next, and proved the same: then the tipstaff was sent for Mr. Stagg, but he could not be found, so a summons was ordered to be taken out against him to appear before the Lord Chief Justice in London.

These ill practices being discovered to the court, the jury summoned on this trial were set aside, and a jury called from the Nisi Prius bar: each jurymen called was sworn to his freehold and copyhold of ten pounds *per Annum*, and whether they were not wrote or applied to on behalf of the prisoners at the bar; then the three prisoners challenged peremptorily to the number of seventy-five, viz. Mr. Noble challenged twenty, Mrs. Salisbury twenty, and Mrs. Sayer thirty-five, as indicted for Petit-Treason. After this number challenged; upon oaths being administered, two appeared to have been applied to on behalf of the prisoners, and were set aside by the court. The jury being sworn, the witnesses for the Queen were called.

Justice Peters deposed, that in 1709, a duel was stirred up by the contrivance of Mrs. Salisbury and Mrs. Sayer, between their two husbands, the deceased and Colonel Salisbury, and the challenge sent by Mr. Sayer; but when they met upon it, the Colonel very readily told his son Sayer, that the design of this was only that their two bad wives might be both at once rid of their husbands, viz. That the Colonel being a swordsman might kill Sayer, and afterwards be hanged for it.

Joanna Manley deposed, that in August 1710, after Noble's acquaintance with Mrs. Sayer, the deceased went into Holland, and returned about Lady-Day, during which time Mrs. Sayer was big with child, and her mother and Mrs. N—— privy to it: and during Mr. Sayer's absence the witness several times saw the two prisoners, Noble and Sayer, in bed together. Her mistress (Mrs. Sayer) desired her to give her master some poison, and if this witness would, her mistress would get it her.

Pen. Howell, their servant, deposed, that she was sent by the prisoners for Two-penny-worth of Laudanum, to make the deceased sleep; and bringing word from the apothecary, that quantity was enough to make any body sleep their last sleep, the three prisoners interrupted her, and bid her hold her tongue, a slut, but give the whole dose to her master, and say nothing to him.

Ann Scoffin, the midwife, deposed, that Mrs. Sayer, on the 5th of March, 1711, was delivered of a male child by Dr. Douglas: she passed for a widow, and Noble and she for brother and sister. This child was nursed at Hoxton, and died and was buried there in a little while. That Mrs. Sayer was delivered at a court in Brooks-street, Holborn, with a large patch on one side her face, and the other side of her face lay on the pillow. That there was great familiarity between them, and that the child, in her opinion, was

was very like Noble, and she believed him to be the father of it.

Mr. Marten being subpæna'd and sworn, said, he knew Noble and Mrs. Sayer: Noble desired him to take convenient lodgings for her to lie in at, which he did, and she was delivered of a male child about the 5th of March, 1711, by Doctor Douglas, in the presence of Mrs. Scoffing the midwife, at a house in a court in Brooks-street, Holborn.

Facts proving the murder.

Francis Cox deposed, that he was one of the constables of the parish of St. George the Martyr, in the Borough of Southwark: that on the 29th of January last, the deceased John Sayer, Esq. with two other gentlemen, came to his house with a warrant from Sir Charles Cox, for taking into custody the body of Mary Sayer his wife, who, Mr. Sayer said, was gone from him without his consent: that as he went to execute his warrant, he called one Thomas Hill, another constable, to assist him; after which they went into the Mint, and this witness being informed by Mr. Sayer that he believed his wife was at Twyford's house in George-street in the Mint, this witness having found out Twyford's house, he knocked at the door, and Twyford came, but refused opening the door at first, till the said Mr. Cox told him he was a constable, had a warrant, and was come to search for a suspected person in his house, and that he would not hurt a hair of his head. Twyford opened the door to them, the constables beckoned to their assistants, and they all went in, Mr. Sayer running after them: the two constables and Mr. Sayer went up stairs, and there the deceased said he saw some of his wife's cloaths, and then said he believed she was in the house: and whilst this witness went into the other little room, Mr. Sayer and the
other

other constables were gone down stairs; and before this witness got down, he heard a great noise and screaming out in a room below; whereupon making great haste down, the other constable, and several others, cried out to him, Mr. Sayer is dead, and the gentleman that killed him breaking out backwards to make his escape; thereupon this witness went round the house into the garden to secure him, where he found a naked sword in the hand of Mr. Sayer's footman, and bloody eight or nine inches; and Mr. Noble, Mrs. Sayer, and Mrs. Salisbury, being in the room together, he apprehended them all three, and carried them before Ralph Hartley, Esq. Justice of the Peace.

Thomas Hill, the other constable, spoke to the same purpose, of his going with a warrant to Twyford's house; that Mr. Sayer went down first, and he followed him at the foot of the stairs: there being a door leading into the back room, Mr. Sayer laid hold on the door and pulled it open, and immediately the deceased fell a little back, and laid his hand on his own sword, but did not draw it above a foot for want of strength. This witness pushing into the room before Mr. Sayer, Mrs. Salisbury fastened on his collar, and endeavoured with all her power to keep him out of the room, and as soon as he had got in, Mr. Sayer followed immediately, fell down, and never spoke more; there were only Mr. Noble, Mrs. Sayer, and Mrs. Salisbury in the room, and Noble was breaking the glass door to make his escape. The deceased being on the ground, the witness thought him in a fit only, and Mrs. Sayer said 'twas only a sham, and he was not hurt, but he presently saw a wound on Mr. Sayer's left side, whereof he immediately died, and believes Noble gave the wound with his own sword, which was bloody, and no other sword was drawn all the time. Mrs. Sayer desired him to be civil to Mr. Noble, whom

whom he had then apprehended, but she took no care of her husband.

James Terry, servant to the deceased about eight years, deposed, that staying below in the kitchen, Mr. Sayer came down first, and laid his hands on the top of the door, at the stair foot going into the parlour, and endeavoured to pull it open; but as soon as it was a little way open, he saw a naked sword come through against his master's body, and his master fell back into this witnesses arms, and clapping his hand to his left side, said, "I am dead," or killed, or such like words. The sword was left in his master's body, and fell on the ground, and he verily believed his master received a wound on the left side of his body, of which he instantly died. The witness took up the sword, which had a mourning hilt, and seeing Twyford go round into the gardens, followed him, where he heard the glass windows break, and saw the back door open; Mrs. Sayer in the garden, Mrs. Salisbury standing on the door step, and his master lying on the ground: he said to his mistress, "Lord, Madam, what have you done? my master is dead, you have killed him." His mistress told him, "Ah! you rogue, I'll be revenged of you too." Afterwards he saw the wound on his master's left side near the pap, which he saw probed, and it was four or five inches deep. This witness further deposed, that his master had no sword drawn at the time he received the wound, nor afterwards; and that no words passed between him and the party that gave the wound.

Thomas Gardner, a constable's assistant, deposed, that there being a door at the foot of the stairs, he saw Mr. Sayer lay his hand on the door, and endeavour to pull it open; as the door was a little open, he saw Noble in grey cloaths within the room, and a naked sword in his hand, thrust at the deceased through the open part of the door, and give him a wound

wound on the left side of his body; that Mr. Sayer had no sword drawn, neither did any words pass between the deceased and him that gave the wound; but the deceased afterwards endeavoured to draw his own sword, then by his side in the scabbard, but could not pull it above half way out for want of strength, and immediately fell down, and as he was falling the witness heard Mrs. Sayer say, "That the deceased had a great many sham fits, and that this was one of them," or such like words; and when the constables were taking the prisoners away, Mrs. Sayer asked Noble, "My dear, have you got my watch?" he answered, "My dear, I have it in my pocket."

There were several other witnesses, who all deposed to the same effect, particularly Capt. Alkern and Mr. Anthony Sherlock, who swore that Twyford had said he had told Noble he might go away if he pleased.

The witnesses for the crown being all examined, the prisoner Noble made a long defence for himself: he had given the court abundance of trouble, the reason of which has been mentioned; and when it came to his turn to plead his own cause, and that of the other two prisoners, he did it like a man who deserved a better one. He said, 'That the deceased Mr. Sayer used his Lady most barbarously; that he beat her, called her names, and gave her the foul disease: he aggravated his carriage towards her in the most provoking manner he could; saying, he would make out the truth of his assertions by proofs: he set forth the deed of separation and the marriage articles, arguing, that upon those deeds he did not question the prisoner (Mrs. Sayer) would be thought a person sole and apart from the deceased at the time of his death: that Mr. Sayer could not pretend his widow had robbed him, and run away with his jewels, &c. she having a right

' right to them, they being reserved her by her mar-
 ' riage articles : that the deceased could have no pre-
 ' tence to retake either them or his wife ; for as to her,
 ' she was lawfully separated ; she was forced to go
 ' from him on account of his ill usage of her. He
 ' justified his being in Mrs. Sayer's company as her
 ' attorney and trustee ; that he was then with her
 ' about business in private, when an extraordinary
 ' noise and confusion of a crowd of people in the
 ' house, together with the deceased's breaking open
 ' the door, pulling off the bolt and one hinge of it,
 ' surprized him and the prisoners : that they all re-
 ' tired to the back door, which not being able to get
 ' open, and a further terror and confusion arising from
 ' such a desperate place as the Mint, seizing them, he
 ' stabbed the deceased : he owned he knew before-
 ' hand that Mr. Sayer was in the house ; that indeed
 ' is true (said he) and he did not at all doubt of jus-
 ' tifying what he had done, even with all these dan-
 ' gerous circumstances, the rather for that the deceased
 ' came with a warrant so very ill grounded, and he
 ' knew he fought for his life, he having before drawn
 ' his sword on him, and brought a pistol to his
 ' chambers on purpose to shoot him : he set forth
 ' how he was recommended to Mrs. Sayer's business,
 ' and his management thereof as her attorney and
 ' trustee : that he had often endeavoured and solli-
 ' cited an accommodation ; that the articles of sepa-
 ' ration were drawn before he was employed as an at-
 ' torney : he insisted, that in the course of his endeavour
 ' for a reconciliation, Mrs. Salisbury had engaged him
 ' to Mrs. Sayer, her daughter, that very day, to sol-
 ' licit it.'

This is the substance of what he urged in his de-
 fence : the prisoners then called their witnesses, and
 proved the executing the marriage articles and deed
 of separation. It was observable, that there were
 crowds of people whom they had engaged to be

there on purpose to make a hurry, and embarrass the court; some have thought between two and three hundred people. The substance of their first witness's evidence was:

That the deceased some time ago broke open the door upon the prisoner (Mrs. Sayer) to kill her with his penknife; that this witness was privy and acquainted with Mrs. Sayer during Noble's conversation with her, and never knew her to be with child, or that she seemed bigger than usual: that the prisoner (Mrs. Sayer) before her acquaintance with the prisoner Mr. Noble, endeavoured to obtain a divorce in Doctors-Commons; that the deceased several times beat his wife, and sometime since went to Mr. Noble's chambers with a pistol in his hand to kill him; that this witness met the deceased upon the stairs, which circumstance he told to another person.

This person appeared also, and proved the same, as it was told him by the other witnesses; he also proved Noble's wresting the deceased's naked sword from him when he offered to stab him through the back, and that the deceased was cured of the foul disease.

Several witnesses were called to the circumstances of the murder.

The first was a woman servant at the Red-Lyon in George-street in the Mint, who swore she was in the backside of her master's house washing, when the two constables came to Twyford's house: that they knocked at the door, and refused to tell their business, or whom or what they wanted: that she went in with the constables and Mr. Sayer, and nobody else with him: that the deceased came into the house with his sword about three inches out, went up stairs with the two constables, came down by himself, had his sword drawn, and swore he would make an end of the prisoner. Mr. Sayer broke open the door, went into the room and fell down dead, all
which

which she saw, she being in the kitchen below, but did not know how he died.

Men were also called, who swore that Mr. Sayer ran into the house with his sword drawn about four inches, swearing he would kill the prisoner Noble, and to the other points, agreeing with those mentioned in the affidavit, which Mr. James Hannon endeavoured to suborn Reeves to swear to.

Others were called to invalidate the evidence given of the prisoner's swearing to stab the deceased when he met him.

Others swore that they were in frequent company with the prisoners Noble and Mrs. Sayer, and never knew any disorderly or unbecoming behaviour between them, but thought the prisoner Noble came to her only as her attorney.

Several others were called to the reputation and character of the prisoners, particularly a neighbour of Mrs. Sayer's in Lisle-street.

The witness on both sides being examined, the prisoners at the bar prayed council, and had two assigned them, Mr. W— and Mr. D— who insisted that this warrant from a Justice of the Peace was ill grounded, and made without legal authority; that without legal authority, a multitude came into the said house. That the prisoners had no notice they were constables, and that the deceased broke open the door upon the prisoners; upon which points they moved for a special verdict; intending thereby to have judgment respited.

After the arguments of the council for the queen, and for the prisoners were over, two witnesses for the queen examined before, were called up again, and one of them proved, that the man of the house where the prisoners were taken, told them some few days after the murder, that immediately upon the coming in of the constables, he ran through his garden around the house to the back door, and told

Mr. Noble the constables were come and wanted either him or himself. That he opened the back door to the prisoner Noble, and said to him, Sir, you may go your way if you please. Upon which Twyford's examination, taken by John Lade, Esq. Justice of the peace, was read; Twyford owned his hand subscribed to it, and it agreed with this evidence. The other swore to his hearing Twyford say the same, when he was before the justice. There were here, and at the Coroners Inquest, four witnesses to Twyford's evidence.

After the witnesses and council had been heard, it was resolved that the warrant being ill founded was not material, the deceased was killed, and he could justify the action of taking up his wife; that it was certain the prisoner Noble knew of the deceased being there, because he had confessed it already. Upon the whole, the evidence was summed up to the jury, with admirable clearness, impartiality and eloquence; the court having, during the course of the trial, which lasted from six that morning till one the next, shewn a patience very rare, where so much needless trouble was given. The jury were allowed some little refreshment at the bar, while the court was sitting. Then a bailiff was sworn, and the the jury went out to agree on their verdict, which they brought in on Saturday morning about ten o'clock, that Richard Noble was guilty on all three indictments, and the other prisoners, Mary Sayer and Mary Salisbury, Not Guilty.

On Monday, when Mr. Noble was brought to the bar to receive sentence, he made a very moving speech to the court, to the following purpose.

My

My Lord,

I AM soon to appear and render an account of my sins to God Almighty. If your lordship should think me guilty of those crimes, I have been accused and convicted of by my Jury, I am then sure your lordship will think that I stand in need of such a reparation, such a humiliation for my great offences, such an abhorrence of my past life, to give me hopes of a future one, that I am not without hopes that it will be a motive to your lordship's goodness, that after you have judged and sentenced my body to execution, you will charitably assist me with a little time for the preservation of my soul.

If I had nothing to answer for but killing Mr. Sayer with precedent malice, I should have no need to address myself to your lordship in this manner. It is now too late to take advantage by denying it to your lordship, and too near my end to dissemble it before God. I know my lord the danger, the Hell that I should plunge myself headlong into; I know I shall soon answer for the truth I am now about to say, before a higher tribunal, and a more discerning judge than your lordship, which is only in Heaven; that I did not take the advantage to kill Mr. Sayer, by a thought or apprehension that I could do it under the umbrage of the laws, or with impunity, and nothing was more distant from my thoughts, than to remove him out of the world to enjoy his wife (as was suggested) without molestation. Nor could any one have greater reluctance or remorse, from the time of the fact to the hour of my trial, than I have had, though the prosecutors reported to the contrary, for which I heartily forgive them.

My council obliged me to say on my trial, that I heard Mr. Sayer's voice before he broke open the door; I told them as I now tell your lordship, that
I did

I did not know it was him, till he was breaking in at the door, and then, and not before, was my sword drawn, and the wound given, which wound, as Dr. Garth informed me, was so very slight, that it was a thousand to one that he died of it.

When I gave the wound, I insensibly quitted the sword, by which means I left myself open for him to have done what was proved he attempted, and was so likely for him to have effected, viz. to have stabbed me: which are circumstances that manifest the greatness of my surprize.

When I heard the company run up stairs, I was alarmed, and in fear; the landlord telling me instantly thereupon, that the house was beset, either for me or himself, added to my confusion. I then never thought or intended to do mischief, but first bolted the fore door, and then bolted and padlocked the back door, which was glazed, and began to fasten the shutters belonging to it, designing only to screen myself from the violence of the tumult. When he broke open the door, and not till then, I perceived and knew he was present: and his former threats and attempts, which I so fully proved on my trial, and could have proved much fuller, had not Mrs. Salisbury's evidence been taken from me, made my fear so great, and the apprehension of my danger so near, that what I did was the natural motion of self-defence, and was too sudden to be the result of precedent malice; and I solemnly declare, that I did not hear or know from Twyford the landlord or otherwise, that any constable attended the deceased, till after the misfortune happened. It was my misfortune, that what I said as to hearing the deceased's voice was turned to my disadvantage by the council against me, and that I was not intitled to any assistance of council to enforce the evidence given for me, or to remark upon the evidence given against me; which I don't doubt would have fully satisfied
your

your lordship and the jury, that what happened was more my misfortune, than my design or intention.

If I had been able, under the concern, to remark upon the evidence against me, that Mr. Sayer was but the tenth part of a minute in breaking open the door, it could not then well be supposed by the jury, that I was preparing myself, or putting myself in order to do mischief, which are acts of forethought and consideration, which require much more time than is pretended I could have had from the time I discovered Mr. Sayer; for even from his entry into the house, to the time of the accident, did not amount, as I am informed, to more than the space of three minutes. But I did not discover him before the door gave way.

I wish it had been my good fortune, that the jury had applied that to me which your lordship remarked in favour of the ladies, that the matter was so very sudden, so very accidental and unexpected, that it was impossible to be a contrivance and confederacy, and unlikely that they could come to a resolution in so short a time. I don't remember your lordship distinguished my case, as to that particular, to be different from theirs, nor was there room for it; for it is impossible for your lordship to believe that I dreamt of Mr. Sayer's coming there at that time, but on the contrary I fully proved to your lordship, that I went there upon another occasion, that was lawful and beneficial for the deceased; and I had no more time to think or contrive, than the ladies had to agree or consent. If any thing could be construed favourably on the behalf of such an unfortunate wretch as myself, I think the design I had sometime before began, and was about finishing that day, might have taken away all suspicion of malice against Mr. Sayer.

Must

Must it be thought, my lord, that I only am such a sinner that I cannot repent and make reparations to the persons I have injured? it was denied; but I strongly solicited a reconciliation between Mr. Sayer and his lady, and if this had tended to procure me an easier access to Mrs. Sayer, it would have been such a matter of aggravation to me, that it could not have escaped the remark of the council against me, nor the sharpness of the prosecutors present in court; with both I transacted, and to both I appealed, particularly to Mr. Nott, to whom, but the day before the accident, I manifested my desire of having them live together again, and therefore, my lord, it should be presumed I laboured to be reconciled, to and not to revenge myself on Mr. Sayer.

Your lordship, I hope, will observe so much in my favour, that it was so far from being a clear fact in the opinion of the jury, that they sat up all night, and believing there was no malice at that time, told your lordship they intended, and were inclined to find it manslaughter, and, doubting the legality of the warrant, to find it special.

I hope this will touch your lordship's heart so far, as not to think me so ill a man as to deserve (what the best of Christians are taught to pray against) a sudden death.

I confess I am unprepared; the hopes of my being able to make a legal defence, and my endeavours therein having taken up my time, which I wish I had better employed: I beg leave to assure your lordship, upon the words of a dying man, that as none of the indirect practices to get or suppress evidence were proved upon me, so they never sprang from me; and I can safely say, that my blood in a great measure will lye at their door that did, because it drew me under an ill imputation of defending myself by subornation of perjury.

I would

I would be willing to do my duty towards my neighbour, as well as God before I die ; I have many papers and concerns (by reason of my profession) of my clients in my hands, and who will suffer if they are not put into some order ; and nothing but these two considerations could make life desirable, under this heavy load of irons, and restless remorse of conscience for my sins. A short reprieve for these purposes I hope will be agreeable to your lordship's humanity and Christian virtue, whereupon your lordship's name shall be blest with my last breath, for giving me an opportunity of making peace with my conscience and God Almighty.

As the court had shewn him all along as much favour as a man in his circumstances could expect, hearing him with indulgence even when it was plain he meant only to give trouble, so was his last request received with the same goodness ; and he was given to understand that time should be allowed him for those purposes.

When the goaler came (with a barbarity natural to those fellows) to load Mr. Noble with irons, he was very much confounded ; for though he had given, as he said, two or three hundred pounds to all the crew that were about him to have some favour, they loaded him with the heaviest irons they had, and curst him as they were putting them on. This was enough to sink his mind, as well as his body ; but it is said he recovered himself afterwards, and did not behave himself with that penitence and resignation which he then gave hopes of. It is also said the prosecutors engaged a Reverend Divine to go to Kingston, on purpose to attend him in his spiritual concerns.

A little while after Mrs. Sayer and Mrs. Salisbury were acquitted, they found bail for their forth-coming in 12 months, their bail being Mr. Stephen Hodges,

Mr. Joseph Stockar, Mr. Thomas Arne, and Mr. John Hodges, in one thousand pounds apiece, each surety five hundred pounds apiece for each prisoner.

Immediately upon their being discharged the two ladies returned to London, leaving their fellow-prisoner, the dear partner of their pleasures and perils, bound with harder chains than those of love his hands manacled, his legs fettered, his friends abandoning him, and his council and solicitors crying out that they would not have been concerned for him had they known any thing of the adultery. The women were so overjoyed at their own deliverance, that as they were in the coach returning to London, the turnkey, whom they took along with them to prevent any insult from the rabble, heard them say, "It fell out just as they would have had it."

The issue of this unfortunate affair was, that on the 28th of March, 1713, Mr. Noble was executed, and behaved in his last moments with great marks of penitence, and only shewed a little too much concern for being so basely deserted by the women who brought upon him all his misfortunes.

Account of the Conviction of RODERICK AWDRY and WILLIAM WHITE, with the particulars of AWDRY'S numerous Thefts.

ON the 13th of May 1714, *Roderick Awdry* and *William White*, of the parish of Lothbury, were indicted at the Old Bailey, for stealing eleven silver spoons, two salvers, two salts, and other plate, in

in the dwelling house of Thomas Gibson, gentleman.

The prosecutor's servant deposed, that having been abroad, he on his return saw White standing at his master's door, and going into the house, found Awdry sitting in the parlour, who told him his lady had sent him thither on an errand; whereupon this deponent seized both the prisoners; when a salver was taken from White, and the rest of the plate was found upon Awdry.

Awdry did not pretend to say a word in his own vindication, but, with a kind of false honour, which is sometimes found even among thieves, would willingly have excused White, saying he gave him the salver to carry for him, and that he knew nothing of its being stolen: but the jury giving no credit to this assertion, found them both guilty, in consequence of which they received sentence of death.

We have no account of the birth, parentage or behaviour of White; but Awdry gave the following account of himself: he was born in the parish of St. Giles in the Fields, and was about sixteen years of age at the time of his conviction. His father dying while he was a child, his mother soon married again, and the father-in-law turned him out of doors: being thus left to shift for himself, by the inhumanity of those whose duty it was to provide for him, he began the life of a thief by robbing of orchards, proceeding by degrees to greater thefts, particularly stealing of plate, of which he at one time robbed a house to the value of four hundred pounds.

He said he had been several times apprehended and committed to Newgate and the Marshalsea, and had been often tried at the Old Bailey, where he was acquitted for want of sufficient evidence: he had been three times burnt in the hand, and committed to Tothill-fields Bridewell twice, and to that in Clerkenwell three times; but he was no sooner lodg-

ed in these prisons, than he broke out, and returned to his former bad practices.

He gave the following account of such of his robberies as he could recollect :

1. That about three or four years before his conviction he had stolen three silver spoons, near St. James's-Place.

2. Eight silver spoons in another house, in the same place, about the same time.

3. A great quantity of plate in Hoxton-Square, about the same time.

4. Two silver salvers, casters, spoons, &c. in Prescot-street, about the same time.

5. A silver tankard, spoons, 18 guineas, a broad-piece, &c. at Chelsea.

6. A silver pot and other plate, out of another house there, much about the same time.

7. A silver salver at Stepney, about three years ago.

8. A silver coffee-pot in Well-Close Square, about that time.

9. Some plate out of a house in Ormond-street two years and a half before.

10. A silver watch at another place a fortnight after.

11. A silver tankard, a silver salver, and other plate, at Blackwall, two years before.

12. A silver salver at Mile-end, about that time.

13. Two silver plates, two candlesticks, and other plate, at Bethnal-Green, about that time.

14. A silver salver, two silver candlesticks, two silver plates, three casters, four salts, and other plate, near the same place, and about the same time.

15. A silver tea-pot, coffee-pot, and stand, near the same place, and about the same time.

16. A silver cup in Scotland-yard, about the same time.

17. Two

17. Two silver salvers, a silver tankard, and other plate, at the Lady Irwin's, two years before.

18. Five silver salvers, a silver cup, and other plate of great value, at a house in the Navy-Office, about two years before.

19. A silver cup in Well-Close Square, two years before,

20. Two silver spoons, forks, and other plate, in Castle-yard in Holborn, about the same time.

21. A silver tankard a salver and other plate, in Castle-yard in Holborn, about the same time.

22. A silver snuff-box, spoons, &c. at Chelsea, six months before.

23. A silver tankard at Stepney, eleven months before.

24. A silver sauce-pan, spoons, &c. at Well-Close Square, two months before.

25. Two pint-pots, a caster, six spoons, and other plate, in St. James's Square, six months before.

26. Two spoons in Lamb's-Conduit-Fields, three years before.

27. A silver tumbler, near the same place, two years before.

28. Spoons, and other plate, on Tower-Hill, two years before.

29. A silver canister, salts, &c. at Hampstead, three years before.

30. Money and cloaths, to the value of 30 l. in a box before a coach in Gray's-Inn-Lane, about that time.

31. A silver salver, spoons, &c. in Piccadilly, three years before.

32. Several pieces of plate and other goods, to a considerable value, in Goodman's-Fields, six or seven weeks before; which he had packed up, and was forced to leave part behind, to save himself from being taken.

33. A silver coffee-pot, and other plate, in Lincoln's-Inn-Fields, about three years since.

34. Another parcel of plate, in a house near the same place, at the same time.

35. A silver cup, salts, and other pieces of plate, to a considerable value, in Marlborough-street, about three years before.

This offender acknowledged, that besides those abovementioned, he had committed a great number of robberies, the particulars of which he had forgot, and he said that all these robberies had been committed in the day time, yet none of the servants in any one family had been accessary to his crimes.

By his own confession it appeared, that within about three years and a half, he had stolen plate and other goods to the value of several thousand pounds, notwithstanding which he had nothing left of any value; so true is it, that money obtained in a dishonest way, is generally fooled away in every species of riot and extravagance!

He said he had been a great drunkard, whore-monger and adulterer; and he begged pardon of all those whom he had injured, declaring that was all the amends that was then in his power to make them.

He was executed at Tyburn, with William White, on the 28th of May, 1714.

Account of the Trial and Behaviour of NATHANIEL PARKHURST, Esq. who was convicted of the Murder of LEWIS PLEURA.

AT the sessions held at the Old Bailey in the month of May, 1715 *Nathaniel Parkhurst*, of the parish of St. Bride, Esq. was indicted for the murder of *Lewis Pleura*, by giving him a mortal wound with a rapier, on the left side of his belly, near the navel, of the breadth of one inch, and the depth of five inches.

In the course of the evidence it appeared, that the prisoner and the deceased had been prisoners at the same time in the Fleet for debt; and that the prisoner having been drinking from four o'clock in the afternoon till about three in the morning, went into a room adjoining to that of the deceased, and cried out, "D—n you, Sir Lewis, where are you?" but being informed he was mistaken as to the room, he went away, and breaking into *Pleura's* room, was heard to say, "D—n you, Sir Lewis, pay me the four guineas you owe me;" soon after which the deceased cried out murder, and the watchman and other persons going into the room, found the deceased on the floor, lying on his back, naked and bleeding, and the prisoner upon him with his sword drawn.

The sheets of the bed, which were very bloody, being taken off, the deceased was put to bed, and a surgeon dressed some of his wounds, which were eighteen or twenty in number; after which, being able to speak, he was asked how he came by his wounds;

wounds; to which he answered, that Mr. Parkhurst gave them him while he was in his bed.

It also appeared, that the prisoner being disarmed and taken out of the room, went in again afterwards, and said, "D—n you Pleura, are you not dead yet?"

The evidence being clear, the prisoner did not otherwise deny the fact than by saying that he knew nothing of it, and for two years and a half past had been disordered in his mind. To prove this, several persons were called, who swore that within that space of time he had been guilty of many actions which testified that he was a lunatic: but others deposed that he was capable of knowing what he did, having lately transacted some business with a view to the obtaining his liberty, which proved that he was in his perfect senses; whereupon the jury found him guilty, and he received sentence of death.

While he lay under condemnation he declined seeing much company, resigned himself to the justice of his sentence, and applied himself to his devotions, to fit him for his approaching dissolution: yet sometimes he was much disturbed in his mind, and reflected greatly on his relations, whose interest he imagined might save his life, if they would but apply to the people in power.

Mr. Parkhurst said, that he was 39 years of age, born at Catesby, near Daventry, in Northamptonshire, came of a good and honourable family, and had an education in Wadham-College in Oxford, and elsewhere, suitable to his birth, but did not make a right use of it; for falling into bad company, and being too conversant with men of erroneous and dangerous principles, who ridiculed all religion, denying the immortality of the soul, and even of our Saviour; and looking upon his gospel, and indeed the whole book
of

of the scriptures, as an idle romance, he was thereby soon induced to all manner of debauchery and sensuality; and by these vicious and irregular ways of living, so displeasing to God, so scandalous to the Christian Religion, which he outwardly professed, and so hurtful to the world in general, and to his own soul in particular, he wasted his substance, dulled his spirits, weakened his faculties, and at last brought himself into such a melancholy state and discomposure of mind, that a little before he committed the murder, he had resolved, within himself, to kill somebody or other, and make his escape out of the Fleet, where he was a prisoner for debt; or if he could not effect that, to lay violent hands upon himself, as being weary of his life.

On the morning of his execution, he ordered a fowl to be got ready for his breakfast, which he ate with a very good appetite, drinking with it a pint of liquor; and this being done, he went to the place of execution with great composure of mind. When he came there, he addressed the spectators, saying, that the small-pox, which he had about twenty years before, had left such an infirmity in his head, that he never was perfectly well since: he desired the prayers of all the standers-by for his departing soul: and then applied himself to private prayer, after the performance of the service usual at such times.

He was executed at Tyburn, on the 20th of May, 1715.

Account of the Trial of JOHN BIGG, for altering a Bank-note.

AT the sessions held at the Old Bailey on the 2d of June, 1715, *John Bigg* was indicted on two separate indictments, the one for erasing, and the other for altering an indorsement upon a bank-bill on the first of March preceeding.

The first evidence deposed, that a bill of 100 l. payable to Mr. James White, or bearer, was drawn and signed by Joseph Odam, for the Governor and Company of the Bank of England, on the 19th of February, 1715; and that on the 22d of the said month, 90 l. was paid, and indorsed on the said bill in the usual manner: that on the first of March, the same bill was again brought to the Bank, with the indorsement taken off, when 25 l. more was paid and indorsed as before: that the clerks of the Bank finding some bills over paid, (among which this was one) were at a loss to judge how it had happened, till one Collins * informed them that the prisoner told him that if he had not too scrupulous a conscience, he could put him in a way to get vast sums of money; which he seeming to hearken to, the prisoner told him what it was to do, and shewed him how, by applying a certain liquor to the red-ink, the letters disappeared.

Collins having by this means got sufficiently into the secret, acquainted the Governor of the Bank with it; whereupon a warrant was taken out, and the prisoner's house searched, where the very bill mentioned in the indictment, and others, were found,

Collins swore to these particulars on the trial.

and

and also an account in writing of several bills, their numbers, and the sums received on them.

Another witness was one Mors, who deposed, that the prisoner proposed to him, that he might get 10000 l. if he would be concerned; and that he did engage in it, saw the prisoner make the experiment, and received money at the Bank for him, for which he was to have a third part of the profit.

The prisoner denied the fact; but having counsel allowed him, they argued that Mr. Odam was not a servant qualified to make out those bills, unless authorized by the corporation-seal; that writing with red-ink on the inside of the bill, could not be called an indorsement; nor if that were an indorsement, could the fact be called erasing or altering.

To this the King's counsel answered, and the prisoner's replied; and the court were of opinion, that Mr. Odam was a servant qualified to make out such bills for the Governor and Company of the Bank of England: but the other two articles being matter of doubt, the jury brought in the verdict special.

The judges, upon this occasion, being assembled at Serjeant's-Inn Hall in Fleet-street, were attended by counsel on both sides, where the point of law was solemnly argued; and after consideration thereof, the judges were of opinion, that the prisoner was guilty of felony within the meaning of the statute: and accordingly he was brought to the bar, and received sentence of death, in December, 1716, but afterwards obtained a reprieve, and pleaded to his pardon.

*The Trial of HENRY POWELL convicted of
a Highway-Robbery; with his own Account
of his Life and Actions.*

AT the sessions held at the Old Bailey in the month of November, 1715, *Henry Howard*, alias *Powell*, of South Mims in Hertfordshire, was indicted for assaulting Sarah Maddocks on the highway, and taking from her two shillings and six-pence, on the 15th of October preceeding.

The prosecutrix deposed, that the prisoner meeting her sister between Barnet and Kit's-end, said, "How do you do? give me your money:" that her sister saying she had none, he replied "D—n you, I will have money, or else I will shoot you;" upon which she offered him some copper, but he beat it out of her hand, saying, "D—n you, I want gold and silver, and gold and silver I will have:" that then he came to this evidence, and said, "D—n you, must I wait here all night? give me your money?" she told him she had but half a crown: "Give it me quickly," said he, and putting his hand into her pocket, took the money.

After he had committed the robbery, they described him to some persons, who pursued and took him. The prisoner denied the fact; but as the prosecutrix had sworn positively to his person, the jury brought him in guilty, in consequence of which, he received sentence of death. Before he went to the place of execution he delivered the following paper to the Ordinary of Newgate.

I Henry Howard, alias Powell, which last is my right name, was condemned for a robbery on the highway, on Barnet Common, on the body of
of

of Sarah Maddocks, and taking from her 2 s. and 6 d. in money. I was born the 5th of August, 1691, in the liberty of the city of London, of very honest and reputable parents, whose care and industry in my education was sufficient to qualify me for any business whatsoever; and with the grace of God to prevent this ignominious death.

At nine years of age I was put to Merchant-Taylor's school, under Mr. Pickering; and in two years time was removed under Mr. Parsels; from whence (in a short time) I was removed to the care of the learned Dr. Shorter, and attained at twelve years of age, to such a knowledge of the Greek and Latin tongues, that none could exceed me.

Being about that time taken from Latin, I was put to writing and arithmetick, in which I improved myself very much; and being qualified for any trade whatsoever, none (to my misfortune) was approved of, but a surgeon, and I accordingly was bound at Surgeon's-Hall to a very eminent and ingenious man of that profession, who professed both pharmacy and surgery; and (though I speak it to my shame) one, who by his exemplary piety and virtue might have ingrafted good principles into any heart less obdurate than mine; and how many thousand times have I repented within myself, for flighting his wholesome admonitions! and once, I remember, in a prophetick way, I believe, he told me that this untimely death was my predestinated fortune, unless I reformed myself.

My father and mother dying in a little time after I was bound, exposed me to several wants, that I protest the remainder of my apprenticeship, while my master lived, was tedious to me: but however, it pleased God to take my master to himself before I had served six years; and my mistress leaving off the business, I was exposed to all the inconveniencies and frowns of fortune, and as it were destitute, being

ing but eighteen years of age; but however, Almighty God was so gracious to me, as to prevent my falling into bad company, though reduced to want: but going one day to visit a kinswoman of mine, she fancying a ring which I had, was willing to exchange it for hers; but afterwards it not proving according to her expectation, contrived, and took me out of my bed; and I not being permitted to beg pardon, or make any apology for myself, I was sent into Flanders for a foot soldier, which was undoubtedly the ruin of me; for having not frequented vicious company before, I fulfilled the saying of St. Paul, "Evil communication corrupts good manners."

I continued in that station almost three years, though I made two attempts to regain my native country again, but was retaken, and narrowly missed a severe punishment; and considering the mercy and providence of God in my deliverance, I was resolved to content myself in the circumstances I was in, and got acquainted with several of the clergy, who took great delight in my conversation, having the Latin tongue as fluent as my native; and although no means was neglected for my conversion to their faith, God Almighty opened the eyes of my understanding, to discover their insinuations, confute their arguments, and condemn their superstitious idolatry: their purgatory, invocation of Saints, and the doctrine of transubstantiation, were the main obstacles to my conversion.

Would time permit me, I would expound the arguments they made use of to prove the verity of them, and my objections; but it being the day before my death, and having a great task to perform, and but a little time to perform it, I hope you'll excuse me; and therefore I'll proceed to give an account of my escape from thence.

Although I had narrowly escaped twice before, yet beginning to grow uneasy again, I was resolved to
have

have the other trial, and accordingly on June the 27th, 1712, with seven more, I made my way to Holland; from whence, in a short time, by the assistance of an honest master, bound for Burlington in Yorkshire, I regained my native country, and in nine days after my desertion from Newport, I came to fair Augusta, Albion's metropolis.

Finding every thing turned upside-down, and not a friend left that would serve me; I began to reflect, and repent within myself for leaving my military function, being reduced to that want, that I must either beg or steal; the former I despised as despicable, the latter I dreaded as destructive to my soul and body: and therefore I applied myself to a servile employment at the water-side; and I wish to God I had continued in that station: but getting acquainted with an idle fellow, I was seduced to the commission of a fact for which he died; and Almighty God, who knew the innocence of my heart at that time, was merciful to me, that (by his fatal example) I might reform my life and conversation, which God Almighty to promote, sent me as loving, tender, and endearing a wife as ever man enjoyed; who endeavoured (by her actions and behaviour) to convince me that the wicked courses I took would be my inevitable ruin; and to do her justice, as I am a dying man, had I been ruled by her, I had never come to this untimely end; and there's no transitory pleasure that with regret I leave, but her dear company: my heart melts within me at the thoughts of her, and if ever love was reciprocally joined, it was between us: and therefore I humbly beg of every body, that they would cast no reflections upon her; and to vindicate her from any confederacy with me, I kept her ignorant of my way of living for a long time, till my coming into trouble acquainted her with it. And although I think a confession to Almighty God is a sufficient acknowledgment in this world,

world, I'm obliged (for vindication of her) to acquaint Mr. Fletcher, that his waggon was robbed by myself and Thomas Edwards, at Sevenoaks in the county of Kent; and I never sold any but to Mr. Keys, except one dozen of handkerchiefs to another person, whose name I omit, though he does not deserve it at my hands.

As for other matters, as it is not in my power to retaliate those persons I have wrong'd, I think it needless to bring other men into trouble, who have been either confederates or receivers: but this caution I'll give to all country waggoners, to take particular care of their waggons in the inn-yards at night. As to the fact I die for, I acknowledge it just; but being in liquor, was seduced by that villain Edwards, or I had prevented this misfortune.

I account this ignominious death as a just judgment for my sins against the Divine Majesty, and my neighbour; and therefore patiently resign myself to his blessed will, and hope (with true repentance, and a stedfast faith in Christ Jesus) he will seal my pardon in Heaven before I go hence, and be no more seen; and I bless God, I have had more consolation under my condemnation, than ever I had these many years; and I hope that those who survive me, will take warning by my fatal end.

I have this comfort, that no man can accuse me of enticing them to the commission of such facts; especially one person who had accused me of it since my condemnation: but for the value I have for him, I'll omit his name, and desire him to take warning by me; being resolved within myself, that if God had prolonged my days, I would relinquish all such courses. This is a true account of my life past. December 22, 1715. Witness my hand,

HENRY POWELL.

He was executed at Tyburn on the 23d of December, 1715.

The

*The Proceedings against the Earl of DERWENT-
WATER, and other Rebel Lords.*

THOMAS FORSTER, Esq. Member of Parliament for the county of Northumberland, having set up the Pretender's standard at Painfield, between Alnwick and Workworth in that county, on the 6th of October, 1715, and being joined by many noblemen and gentlemen, endeavoured to seize on Newcastle, but were prevented; and being afterwards joined at Kelso by a body of Scotch, which came over the Forth, they, after several marches, came to the town of Preston.

But being unexpectedly furrounded by the King's forces, under General Wills and Carpenter, they, after some skirmishes, surrendered prisoners at discretion, being near 1500 persons, and the heads of them, to the number of near three hundred men, were brought up to London, Nov. 14, and being met by the way at Highgate by Major General Tatton, with two battalions of the Royal Foot-Guards, they were each of them pinioned with cords provided for that purpose; and their horses being led, each by a grenadier, were brought to London, through the repeated huzzas of a vast number of spectators; and when they were arrived, they were sent, the Lords to the Tower, and the others to Newgate and other prisons: and on the 9th of January, 1715-16, the House of Commons resolved, *Nemine Contradicente*, to impeach the Lords of High Treason; which impeachment is as follows.

Articles of Impeachment of High Treason exhibited against James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, and William Lord Nairn.

WHEREAS, for many years last, a most wicked design and contrivance has been formed and carried on, to subvert the antient and established government, and the good laws of these kingdoms, to extirpate the true Protestant religion therein established, and to destroy its professors, and instead thereof, to introduce and settle popery and arbitrary power: in which unnatural and horrid conspiracy, great number of persons, of different degrees and qualities, have concerned themselves and acted; and many Protestants, pretending an uncommon zeal for the church of England, have joined themselves with professed Papists, uniting their endeavours to accomplish and execute the aforesaid wicked and traiterous designs.

And whereas it pleased God in his good providence, and in his great mercy and goodness to these nations, to crown the unwearied endeavours of his late Majesty King William the Third, of ever-glorious memory, by making him the instrument to procure the settlement of the crown of these realms in the illustrious house of Hannover, as the only means, under God, to preserve our religion, laws, and liberties, and to secure the Protestant interest of Europe; since which happy establishment, the said conspirators have been indefatigable in their endeavours to destroy the same, and to make way for the vain and groundless hopes of a spurious impostor and Popish Pretender to the Imperial Crown of these Realms.

And

And to accomplish these ends, the most immoral, irreligious, and unchristian-like methods have been taken; but more particularly in the last years of the reign of the late Queen Anne; during which time, all imaginable endeavours were used by the said conspirators to prejudice the minds of the subjects of this realm, against the legality and justice of the said settlement of the crown; and for that purpose the holy scriptures were wrested, and the most wholesome doctrines of the Church of England perverted and abused by men in holy orders in the most public and scandalous manner, in order to condemn the justice of the late happy revolution, and thereby to sap and undermine the foundation of the said happy establishment: and the most notorious instruments of these wicked purposes were countenanced by particular marks of public favour and distinction; false and dangerous notions of a sole hereditary right to the Imperial Crown of these Realms, were propagated and encouraged by persons in the highest trust and employments, contrary to the antient, undoubted, and established laws of these kingdoms; jesuitical and scandalous distinctions were invented, and publicly inculcated, to enervate the force and obligation of those oaths which had been contrived in the plainest and strongest terms, by the wisdom of Parliament, for the security of the said establishment. And to conceal their designs, and thereby the better to enable them to carry on the same, great numbers of the said conspirators, of all ranks and conditions, pretending a zeal for the Protestant succession, openly and voluntarily took the said oaths: groundless fears of the danger of the Church of England were fomented throughout these kingdoms, to disorder the minds of well-disposed Protestants. By all which, and many other such ungodly practices of the said conspirators, the most causeless and dangerous jealousies and dissatisfactions were created

in the minds of the good people of this kingdom; and great numbers of well-meaning, but deluded Protestants, were much disquieted. But nevertheless, these dishonest methods were pursued by the said conspirators with indefatigable industry, as the only means to weaken the foundations of the said happy establishment.

And whereas the dissolution of the late glorious confederacy against France, and the loss of the balance of power in Europe, were further steps necessary to compleat the designs of the said conspirators; and the same being effected by the late ignominious peace with France, the French King was rendered formidable, and the Protestant succession was thereby brought into the most imminent danger; and by these, and other pernicious measures, the destruction so long intended by the said conspirators for these poor nations, seemed near at hand. At which time, and under which most deplorable circumstances, it pleased Almighty God in his infinite wisdom to call to himself the late Queen Anne, and by a concurrence of many most wonderful providences, to give a quiet and peaceable accession to his present most Gracious Majesty to the throne of his ancestors; to which he was received with one full voice and consent of tongue and heart, and the united joy of every good subject and good Protestant, as their only lawful and rightful leige Lord. And although from the moment his Majesty ascended the throne, to this day, his reign has been one series of wisdom, justice, and clemency; his labours constant, unwearied, and successful, to retrieve the honour and reputation of these nations, to re-establish the trade, and recover the wealth of his kingdoms; and although all imaginable encouragement has been given to the Church of England, and all tenderness shewn even to his Popish subjects, and his constant care has been to procure the universal good of his people; nevertheless the
said

saïd conspirators have, by the most vile and impious methods, renewed their endeavours to throw these kingdoms into the utmost confusion, and to entail endless miseries on us and our posterities. For these ends, many of the abovementioned most wicked and dangerous practices have been repeated with the utmost industry and inveteracy, to delude, disorder, and corrupt the minds of his Majesty's good subjects; the most groundless jealousies have been fomented against his wise and happy administration; and in many parts of his kingdoms, the most unnatural, unexampled riots and tumults, by the secret and malicious endeavours of the saïd conspirators, have been procured, stirred up, and encouraged against his peaceable Protestant subjects, under false pretences of zeal for the Church of England, and thereby more effectually to delude his good subjects, and seduce them from their allegiance, and prepare them for an open rebellion.

And the saïd conspirators having at length resolved to deprive these nations of the invaluable blessings which they now enjoy under the wise and gentle reign of his present most gracious Majesty King George, and of the certain prospect of happiness which they have for their posterity, in a succession of princes derived from himself, did contrive, confederate, and resolve to put their most malicious, wicked and traiterous designs into immediate execution: for which purpose, James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, and William Lord Nairn, together with Thomas Forster, jun. the Lord Charles Murray, Edward Howard, Thomas Errington, John Clavering, William Shaftoe, Sir Francis Anderton, Ralph Standish, Richard Townley, Thomas Butler, Thomas Walton, Gabriel Hasket, Richard Gascoigne, and divers other persons, as false
traitors

traitors of his present most Sacred Majesty King George, the only lawful and undoubted sovereign of these kingdoms, having withdrawn their allegiance and cordial love, and true and due obedience, which they, as good and faithful subjects, owed to his said majesty, did, in or about the months of September, October, or November, 1715, most wickedly, maliciously, falsely, and traiterously, imagine and compass the death of his said most Sacred Majesty.

And for the accomplishing and executing their said traiterous purpose, they, the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, William Lord Nairn, did, in or about the said months, or some of them, and at divers other times, and in divers places within this kingdom, wickedly and traiterously agree, confederate, conspire, and resolve, together with many other evil-disposed persons, to raise, excite, and levy, within the counties of Teviotdale, Northumberland, Cumberland, and the County-Palatine of Lancaster, and elsewhere within this kingdom, a most cruel, bloody, and destructive war against his Majesty, in order to depose and murder his Sacred Majesty, and to deprive him of his royal state, crown, and dignity.

And the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, William Lord Nairn, their accomplices and confederates, in or about the months aforesaid, in the counties aforesaid, or some of them, did gather together great numbers of his Majesty's subjects, and with them did assemble in a warlike and traiterous manner, in order to raise tumults and rebellion within this kingdom; and having procured great quantities of arms, ammunition, and warlike instruments, at the times and places aforesaid, or
some

Some of them, did form and compose, or did assist in the forming and composing an army of men, consisting of his Majesty's liege subjects, in order to wage war against his said Majesty, for and in behalf, and in favour of the Pretender to the crown of these Realms; and the said last-mentioned conspirators, their accomplices and confederates, at the time, and times, and places aforesaid, and at divers other times and places within this kingdom, did maliciously and traiterously make, levy, and raise war and rebellion against his most Sacred Majesty; and in a warlike and hostile manner did march through, and invade several parts of this kingdom, and did unlawfully take and seize the horses, and other the goods and chattels of many of the peaceable and good subjects of his Majesty, and in other places did take and seize, from his Majesty's faithful subjects, guns, and other warlike instruments, for the carrying on their traitcrous purposes.

And the said last mentioned conspirators, their accomplices and confederates, during their march and invasion aforesaid, in open defiance of his most Sacred Majesty's just and undoubted title to the Imperial crown of these realms, did wickedly and traiterously cause and procure the said Pretender to be proclaimed in the most public and solemn manner, as King of these realms, and in several places in the counties aforesaid, or some of them, did unlawfully take and seize from his Majesty's officers of the revenue, the publick money, for the use and service of the said Pretender. And though many of the conspirators are avowed professors of the Popish religion, yet the more effectually to cover and disguise their most wicked and traiterous designs, and to delude his Majesty's subjects, they did prevail on, and procure several men in holy orders, ministers of the Church of England, and who had before that time abjured the said Pretender, to accompany,

company, countenance, and abet the said most traiterous enterprize ; and in several places in the counties aforeaid, where the said conspirators, their accomplices and confederates then were, to pray for the said Pretender in the public churches as King of these realms.

That the said last-mentioned conspirators, their accomplices and confederates, did on or about the 9th, 10th, 11th, 12th, or 13th of November aforeaid, traiterously seize and possess themselves of the town of Preston, in the County-Palatine of Lancaster, against his Majesty, and did then and there, in a warlike and hostile manner, levy war, oppose, engage, and fight against his Majesty's forces, and did then and there cause and procure a miserable and horrid slaughter and murder of many of his Majesty's faithful subjects.

All which treasons and crimes abovementioned, were contrived, committed, perpetrated, acted and done by the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, William Lord Nairn, and other the conspirators aforeaid, against our sovereign lord the King, his crown and dignity, and contrary to the duty of their allegiance, and against the laws and statutes of this kingdom.

Of all which treasons and crimes, the knights, citizens, and burgeses in parliament assembled, do in the name of themselves and of all the Commons of Great Britain, impeach the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, William Lord Nairn, and every of them.

And the said Commons, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any other accusations or impeachments
against

against the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, William Lord Nairn, or any of them; and also of replying to the answers which the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, and William Lord Nairn, or any of them, shall make to the premises, or any of them, or to any impeachment or accusation that shall be by them exhibited, according to the course and proceedings of Parliament; and do pray, that the said James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, George Earl of Winton, Robert Earl of Carnwath, William Viscount Kenmure, and William Lord Nairn, be put to answer all and every the premises; and that such proceedings, examinations, trials, and judgments may be upon them, and every of them had and used, as shall be agreeable to law and justice.

The Answer of JAMES Earl of DERWENTWATER to the Articles of Impeachment, &c.

TO a charge of so high and heinous a nature, the said Earl cannot answer without the deepest concern and affliction; which becomes more weighty by the share the Honourable House of Commons have been pleased to take in the accusation. He assures himself, that great assembly doth not engage in the prosecution of an offence, so open to conviction in the ordinary course of law, with design to intercept that mercy, which the Earl, from the report of his Majesty's natural goodness, had reason to expect. It would be a thought unworthy any Member of that August Body, to imagine he could have the least desire of spilling the blood of any of his fellow-
 No. 6. D d subjects,

subjects, whom his Majesty's great wisdom should think a fit object of his mercy ; the said Earl therefore hopes, that his prosecution is taken out of the common course of justice, with intention that if, in his particular case, there shall appear any circumstances inducing favour or compassion, both your lordships and the Commons may be intercessors with his Majesty for grace towards him ; whereby the exercise of the royal mercy, upon which the Earl depended (which, among all the virtues of the crown, most endears a monarch to the love and affection of his people) may be extended in such manner, as may demonstrate that clemency, for which his Majesty is so greatly renowned, and not encourage any to offend upon the presumption of it for the future. The said Earl acknowledges, with a real sorrow, that, at the time in the articles mentioned, he was in arms, and, with others, did march through, and invade several parts of this kingdom ; and confesses, " He is there-
 " by guilty of the offence wherewith he is charged in
 " the said articles." But if any offence of that kind was ever attended with circumstances, which might move compassion, the said Earl hopes he may be intitled to it. He begs leave to inform your lordships, that his temper and inclination disposed him to live peaceably under his Majesty's government, and he never had the least prejudice or malice against his person, nor was he ever heretofore concerned in, or privy to any design or contrivance to subvert or disturb the established government, the laws or religion of this kingdom ; and if any methods were taken by others to accomplish any of those ends, he was absolutely a stranger to them ; nor did he now engage in this unhappy undertaking, upon any previous concert or contrivance for any such purpose : but being young and inexperienced, he rashly, and without any deliberation, engaged himself to meet at
 Plainfield

Plainfield in Northumberland, on assurance that many of his relations and acquaintance would appear there. That his undertaking was sudden, appears, in that he engaged in it without any previous preparation of men, horses, arms, or other warlike accoutrements: and as the said Earl cannot be justly reproached with any cruel, severe, or harsh action, during the continuance in arms, so he took the first opportunity of submitting to the King's mercy. After the sudden skirmishes at Preston, the said Earl, with others, was solicitous to prevent any further destruction of the lives of his Majesty's subjects, and instrumental to induce all in arms to submit themselves to the King, provided they might be secured of their lives. One of his Majesty's officers, sent from the general, gave them encouragement to believe, that the surrender of themselves would be the ready way to obtain the King's mercy. In confidence whereof, when a cessation was agreed on, the said Earl offered himself to become one of the hostages for them till the next morning; in which time he received further assurances from the officers, that the King was a prince of known clemency; that this was a distinguishing part of his character, and that the free surrender to mercy would be the most proper means to obtain it. The said Earl believes his Majesty's officers were very sensible, and will be so just as acknowledge, that it had not been impracticable for many of those at Preston to make their way through his Majesty's forces; but this attempt must have occasioned the loss of many lives, and might have been productive of ill consequences to the government, which the said Earl was desirous to prevent. And when the time agreed on for the cessation was near expired, and General Wills seemed uneasy in not having received any message from those in the town, the said Earl wrote a letter to exhort them to surrender to the King's mercy; and at the same time declared

to the said general, and other officers, that whatever happened, he was determined to continue with them and rely entirely on his Majesty's clemency and goodness, which he had encouragement to expect. And in such circumstances the said Earl cannot distrust your lordships, or the Commons readiness, to use their mediation for mercy on his behalf, which will lay him under the highest obligations of duty and affection to his Majesty, and perpetual gratitude to both Houses of Parliament.

The Answer of William Lord Widdrington, to the Articles of Impeachment, &c.

IT is with inexpressible concern and affliction the said Lord appears before this august assembly, charged with crimes of the most heinous nature; and though it is natural to mankind to endeavour to conceal their guilt, and make use of all manner of defence, especially in the case of life; yet as he surrendered himself at Preston, intirely relying on his Majesty's mercy, so he is now resolved not to take any measures which may argue the least diffidence of that mercy, or of your lordships goodness; and therefore the said Lord confesses, "He is guilty of the treason wherewith he is charged in the said articles." And after having thus freely acknowledged his offence, he begs leave to lay his case before your lordships, and humbly hopes when the particular circumstances are considered, it will be thought not to merit the most rigorous punishment; but that both your lordships, and the honourable House of Commons, will look upon him as a proper object of his Majesty's clemency: and he humbly hopes he may not be thought the less worthy of favour, in that he never before offended, nor was at any time privy to, or acquainted with any design or contrivance to disturb or destroy the established government,

vernment, the laws or religion of this kingdom; but came unawares into this sudden and unpremeditated action. For although he had met with public rumours and reports of intended invasions from abroad, and insurrections at home; yet he never knew, or any other way heard of any formed design against the government, till he was told the night before of a meeting intended at Plainfield in Northumberland on the 6th of October last; and being soon after informed that almost all his neighbours and acquaintance had there met in arms, he took a hasty and inconsiderate resolution of joining them; nor was he in any sort prepared for such an undertaking, having only some of his own family with him, no arms but his common fowling-pieces and wearing swords, and fewer horses than he had constantly kept for several years before: and nothing but the report of so many of his friends being engaged, could have hurried him on to an enterprize so unaccountably rash and unjustifiable; and he is willing to hope your lordships will esteem it some alleviation of his crime, that, in a commotion of that nature, there was so little violation of the rights and properties of those who opposed them; for he believes few instances can be found, where such a multitude continued so long in arms, without doing greater acts of violence and injustice. The said lord cannot charge himself with any injurious acts to the property of his fellow-subjects, and endeavoured to prevent them in others; and hopes it was thence owing, in some measure, that there was shown all along greater marks of moderation and humanity, than is common in such a warlike and hostile proceeding. The suddenness of the attack at Preston, without any previous summons, admitted no time for mediating a submission, before the loss of that blood which was there unfortunately spilt; but after the heat and surprize of the first action was over, a cessation of

arms

arms was desired, and upon the mutual messages which then passed, the officers sent from the general encouraged them to believe, the surrendering themselves would be the ready way to obtain the King's mercy; and gave them repeated assurances, that they submitted to a prince of the greatest clemency in the world. Upon these hopes and assurances, they made a general surrender of themselves to the King: and the said lord may justly take notice to your lordships, that as he was the last who took up arms, so he was the first who procured a meeting of the chief persons among them, in order to lay them down; and cannot doubt, but your lordships, and the honourable House of Commons, will think it equitable to make some distinction between an obstinate resistance, and an early and humble submission; whereby the peace and tranquillity of this part of his Majesty's dominions was intirely restored. Nature must have started at yielding themselves up to a certain and ignominious death, when it must be acknowledged, that it was not impracticable for many of them to have escaped; and it was possible, so great a number grown desperate, might have obtained further success, and thereby prevented the so speedy suppressing that insurrection. But the said lord, and the rest, having with the utmost confidence relied on the assurances of his Majesty's great clemency, and the hopes of mercy, which had been given them from the officers who commanded the royal forces, he is encouraged with great earnestness, to implore the intercession of your lordships and the honourable House of Commons, with his Majesty, for that mercy on which they wholly depended: and as he doth not know where mercy was refused to those, who so early, and with so much resignation submitted to it; so he humbly hopes, your lordships may be induced to think, that the exercise of this divine virtue by his Majesty, towards those

those who cast themselves at his royal feet upon the sole prospect and expectation of it, will appear no less glorious, and prove no less advantageous to the future quiet and tranquillity of his government, than any examples of justice in such a case can be likely to do: and whatever marks of goodness and favour his Majesty shall vouchsafe to the said lord, will not fail to engage him to the strongest ties of gratitude, to demonstrate, in the future course of his life, the most constant and inviolable duty to his Majesty, and the most real esteem and veneration for your lordships, and the honourable House of Commons.

The answer of William Earl of Nithisdale to the Articles of Impeachment, &c.

IT is with the greatest confusion the said Earl appears at your lordship's bar, under the weight of an impeachment by the commons of Great Britain, for high-treason; he humbly begs leave, in extenuation of his crime, to assure your lordships, that he was always a zealous assertor of the liberties of his country, and never engaged in forming or carrying on any design to subvert the antient established government, and the good laws of this kingdom; but being summoned by those entrusted with the administration of the government in Scotland, to appear at Edinburgh, and being assured if he went thither, he should be made close prisoner, he did not obey the summons; but in all humble manner applied for their indulgence, in dispensing with his being committed to jail, offering to give any bail for his peaceable and quiet behaviour; which being refused, and being at that time in so ill a state of health, that a confinement in Edinburgh castle would have endangered his life, he was forced to abscond, and kept private, till several of the persons mentioned in the
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said impeachment, with many others of his neighbours, appeared in arms very near the place where the said Earl lay concealed ; and then he inconsiderately and unfortunately (with four of his domesticks, and no other person whatsoever) joined them, and proceeded in their company to the places in the said articles of impeachment mentioned ; but he knew nothing of the intended insurrection till they were actually in arms. The said Earl is deeply sensible of his great offence, and not affecting delay, nor being willing to give your lordships, or the honourable House of Commons, any unnecessary trouble, “ He “ does, with a sorrow equal to his crime, confess “ that he is guilty of the treason in the said articles of impeachment contained,” and throws himself at his Majesty’s feet, imploring his royal mercy : and to incline his Majesty thereto, and induce your lordships to recommend him as an object thereof ; he begs leave to inform your lordships, that when he, and the rest that were with him at Preston, had engaged in a battle, a cessation of arms being agreed to, they had intimations from his Majesty’s officers, that if they submitted, they might expect the King’s mercy ; and history abounded with instances of conditions stipulated with generals, even with rebels, and afterwards agreed to, and confirmed by their sovereigns ; they were prevailed on by such encouragement, together with the consideration of his Majesty’s known clemency, to surrender themselves prisoners : whereby the lives of great numbers of his Majesty’s good subjects were saved, which by an obstinate resistance would inevitably have been destroyed. And therefore he most humbly begs your lordships would be pleased to recommend his case to his Majesty in the most favourable manner, not doubting but by your lordships powerful intercession, he shall find, that as he performed the duty of a good Christian, in concurring

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to prevent the effusion of blood, so he acted the part of a wise man, in relying upon a mercy so extensive as that of his Majesty. And he presumes, when the honourable House of Commons are apprized of the nature of his case, they will not interpose to prevent him from having a share in the benefit of that mercy.

The Answer of Robert Earl of Carnwath, to the Articles of Impeachment, &c.

HE said he had no answer in writing, but desired to throw himself on the King's mercy, and humbly implored their lordships intercession to his Majesty on his behalf; and assured the house, if the same were granted, he should think himself obliged to live under the strictest ties of loyalty to his Majesty; and as to the said articles, he said, "He was guilty of the High Treason contained in the said articles of impeachment against him."

The Answer of William Viscount Kenmure, to the Articles of Impeachment, &c.

HE said he had no answer in writing; but "was guilty of the charge of high treason contained in the articles of impeachment against him," and begged the house would intercede with his Majesty for mercy.

The Answer of William Lord Nairn, to the Articles of Impeachment, &c.

HE said he threw himself upon the King's mercy, begged the intercession of the House to his Majesty; and as to the articles of impeachment, he said, "He was guilty of the high treason contained in the said articles." Then he delivered in a petition at the bar, which was as follows.

To the right honourable the Lords Spiritual and Temporal in Parliament assembled.

THE humble petition of William Lord Nairn, sheweth, that your petitioner was educated, and hath always continued a Protestant, according to the discipline of the Church of England; and though, by reason of some mistaken principles, he unwarily, in his tender years, did not in all respects conform to the late revolution, lying under the less necessity, for that he had married an heiress, in whom all the right of your petitioner's estate is invested; and though he never took the oaths, yet he always peaceably submitted to, and lived quietly under the government as by law established, until the breaking out of this rebellion, in which your petitioner was inadvertently involved; but not before the Lord Mar, and his adherents, had for a considerable time made themselves masters of Perth and Dunkeld, and thereby surrounded your petitioner's whole estate, and came to your petitioner's house, lying in the middle between those places.

Your petitioner heartily repents of this rash undertaking, and solemnly declares he knew nothing of any previous consultation or conspiracies in favour of the Pretender, before he actually appeared in arms; nor knew any thing about crossing the Forth, until the morning he was sent over under Mackintosh's command: and then was so far from approving of that expedition, that though to avoid the imputation of cowardice, he would hazard his own person therein, your petitioner ordered back all his dependents, and was only attended by his son and four servants, who would not leave him in a time of danger, though often desired: nor was your petitioner privy to any designs of marching into England; for having been bred a seaman, he had no pretensions
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to knowledge in the land-service. Your petitioner being now sensible of his errors, hath pleaded guilty to the articles of impeachment of high treason, exhibited against him by the honourable House of Commons, and thrown himself at his Majesty's feet, humbly beseeching your lordships, in commiseration of the deplorable circumstances of your petitioner, and his twelve children, to recommend him to his Majesty for that mercy, which at the time of his surrender he was made to believe he might reasonably expect.

The next day the Lords sent a message to the Commons, to acquaint them that the six lords had pleaded guilty to the articles of impeachment, which pleas the Lords had ordered to be recorded; and the Commons resolved, *Nemine Contradicente*, to go and demand judgment against the lords; but by reason of the King's coming to the House that day, it was deferred: and on February the 2d, the Lords sent a message to the Commons, to signify, that they had appointed the 9th of that month to give judgment against them; and accordingly, the House of Lords and Commons being met in Westminster Hall, the six lords were brought to the bar; and being asked by the Lord High-Steward, what they had to say why judgment should not pass upon them according to law, spake as followeth:

The Earl of Derwentwater's Speech.

I Only humbly beg leave of my noble peers to repeat a few circumstances mentioned in my answer to the articles of impeachment exhibited against me by the honourable House of Commons.

But the terrors of your lordship's just sentence, which at once deprive me of life and estate, and compleat the misfortunes of my wife and innocent children, are so heavy upon mind, together with

my inexperience, that I am scarce able to alledge what may extenuate my offence, if any thing can do it. I have confessed myself guilty, but, my lords, that guilt was rashly incurred, without any premeditation, as I hope your lordships will be convinced by one particular. I beg leave to observe, I was wholly unprovided with men, horses, arms, and other necessaries; which, in my situation, I could not have wanted, had I been privy to any formed design. As my offence was sudden, so my submission was early. When his Majesty's generals thought fit to demand hostages for securing the terms of the cessation, I voluntarily offered myself, without which the cessation might possibly have proved unsuccessful; and while I continued hostage, the great character of his Majesty's clemency, and the repeated encouragement I had to hope for mercy, by surrendering to it, soon determined me, and I accordingly declared my resolution to remain with his Majesty's forces, and from that time submitted myself to his goodness, on which I still entirely depend. I humbly hope to obtain the mediation of your lordships, and of the honourable House of Commons in my behalf; solemnly protesting, my future conduct shall shew me not altogether unworthy your generous compassion for my life, which is all I can beg of his Majesty.

The Lord Widdrington's Speech.

MY Lords, I have abandoned all manner of defence ever since I first surrendered myself to his Majesty's royal clemency; and only now beg leave to repeat to your lordships some circumstances of my unhappy case, which I have already set forth in answer.

Your lordships see before you an unfortunate man, who after leading a private and retired life for many years,

years, has, by one rash and inconsiderate action, exposed himself and his family to the greatest calamities and misery, and is now upon the point of receiving the severest sentence directed by any of our English laws.

I do protest to your lordships, that I was never privy to any concerted measures against his Majesty's royal person, or the established government.

As to the insurrection in Northumberland, I only heard of it accidentally the night before it happened; and being soon informed that all my neighbours and acquaintance had met in arms, a croud of confused and mistaken notions hurried me at once into a precipitate resolution of joining them; a resolution, which, I must own, I could never since calmly reflect upon, without part of that confusion I find myself under in the public acknowledgment of so much rashness and folly. After thus plunging out of my depth, as unprepared for such an enterprize as the action was unpremeditated, I cannot for my own particular, upon the strictest recollection, charge myself with any violation of the property of my fellow-subjects; but on the contrary, I always endeavoured to encourage humanity and moderation, during the whole course of our miserable expedition; and in order to make the best attonement in my power for the great fault I had been guilty of, I can justly say, that I was in no small degree instrumental in procuring a general submission to his majesty. But, my lords, however willing or desirous, either I, or any others might be, to put a speedy end to those unfortunate troubles, self-preservation, the first and most powerful law of nature, would have rendered the proposal vain and fruitless, had not the officers, who commanded the royal forces, given us hopes of mercy, and assured us we submitted to a prince of the greatest clemency in the world. These hopes, and this assurance, answered the strongest objections,

jections, overcame all remaining difficulties, and gave the finishing stroke to a general surrender; whereby the further effusion of British blood was prevented, and a perfect tranquillity restored to these parts of his Majesty's Dominions.

My Lords, as this my first attempt was rash and unpremeditated, as I always used and promoted moderation and humanity towards my fellow-subjects, as I did not obstinately persist in my fault, but was the first who proposed an early submission to his Majesty; I humbly hope my unhappy case, and the deplorable condition of my unfortunate children, already deprived of their tender mother, will raise a generous compassion in your lordships, and the honourable House of Commons: and I most earnestly entreat both your lordships and that honourable House, to become intercessors with his Majesty in my behalf, for that mercy which I was encouraged to hope for when I first surrendered, and which I have ever since, with the utmost confidence, relied upon.

I have only to add my most solemn assurance, before this august assembly, that no future time shall ever find me wanting in the most inviolable duty and gratitude to that merciful prince who gives me my life, and restores a father to five miserable and distressed orphans; and I shall always retain the highest esteem and veneration for your lordships and the honourable House of Commons.

The Lord Nithisdale's Speech.

MY Lords, I have confessed myself guilty, relying only on his Majesty's mercy, and I beg leave to assure your lordships, I was never privy to any plot or design against his Majesty's person or government, and was unprovided with any necessities for such a purpose; but rashly and inconsiderately

rately, with only four of my servants, joined those who appeared in arms in my neighbourhood, and was one of the last who went unto them.

At Preston, my Lords, his Majesty's generals gave great hopes and encouragement to believe, that surrendering to his Majesty's mercy, was the ready way to obtain it; with repeated assurances, that his Majesty was a prince of the greatest clemency.

Upon these hopes and assurances I submitted myself, and still entirely depend upon his Majesty's goodness, earnestly beseeching your Lordships, and the honourable House of Commons, to interceed with his Majesty on my behalf.

And I solemnly promise your lordships, I shall, during the remainder of my life, pay the utmost duty and gratitude to his most gracious Majesty, and the highest veneration and respect to your lordships, and the honourable House of Commons.

The Lord Carnwath's Speech.

MY Lords, I shall not trouble this great assembly with a repetition of what I said when formerly before your Lordships and his Majesty's council.

I hope these noble lords entertain that favourable, opinion of my sincere dealing then, as to believe that want of experience and knowledge of the laws was the great inducement of engaging me in this fatal and unhappy undertaking.

The only thing I hope or wish for, is his Majesty's mercy. He has the character of a merciful prince; should it please him to think me a proper object for it, (though I must confess myself a very unworthy one) all I can say, my lords, is, that the remainder of my life shall convince his Majesty, and all the world, of my true penitence and gratitude.

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My Lords, I am yet an unworthy Member of this great body, the Peerage, now expecting your lordships judgment as to life or death; should it be for life, my demeanor and carriage for the future will be such, as none of your lordships shall be ashamed of having shewed me compassion; but should it be for death, God's will be done. To my last hour I shall pray for the nation's and your lordships prosperity, having this comfort in my present distress, that your lordships are my judges at this tribunal; and yet a greater comfort have I, that I am soon to appear before a greater, where I can't despair of finding mercy and forgiveness for all my sins; I beg God Almighty's pardon for them; I have asked his Majesty's, and do it now: and I do humbly beg leave once more, and perhaps the last occasion ever I shall have, to desire that your Grace, this noble House, and the honourable Commons of Great Britain, who are now here, would intercede with his Majesty for me. I take my leave of your lordships, wishing you all happiness.

The Lord Kenmure's Speech.

MY Lords, I am truly sensible of my crime, and want words to express my repentance. God knows I never had any personal prejudice against his Majesty, nor was I ever accessory to any previous design against him. I humbly beg my noble Peers, and the honourable House of Commons, to intercede with the King for mercy to me, that I may live to show myself the dutifullest of his subjects, and to be the means to keep my wife and four small children from starving; the thoughts of which, with my crime, makes me the most unfortunate of all gentlemen.

The Lord Nairn's Speech.

I Am very sensible how unfit I am to plead my own cause, before your grace (my Lord High Steward) and this august assembly; and therefore, though I could say much to extenuate the crime for which I stand impeached, yet I chuse rather to lay my whole stress upon the King's mercy, for which he is so renowned, and which I was put in hopes of at the time of my surrender. In consideration whereof, and in compassion to an afflicted wife and twelve children, I still hope, by the mediation of your grace, my noble Lords, and the honourable House of Commons, I may obtain it; solemnly protesting, that in gratitude for so signal a deliverance, I will, to the end of my life, remain a dutiful and obedient subject to his most gracious and sacred Majesty King George.

Then proclamation commanding silence being made, the Lord High Steward spake as followeth:

JAMES Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, Robert Earl of Carnwath, William Viscount Kenmure, William Lord Nairn.

You stand impeached by the Commons of Great Britain in Parliament assembled, of high treason, in traitorously imagining, and compassing the death of his most sacred Majesty, and in conspiring for that end to levy a bloody and destructive war against his Majesty, in order to depose and murder him; and in levying war accordingly, and proclaiming a Pretender to his crown to be king of these realms.

Which impeachment, though one of your lordships, in the introduction to his plea, supposes to be out of the ordinary and common course of the law

and justice, is yet as much a course of proceeding according to the common law, as any other whatsoever.

If you had been indicted, the indictment must have been removed and brought before the House of Lords, (the Parliament sitting). In that case you had ('tis true) been accused only by the Grand-Jury of one county; in the present, the whole body of the Commons of Great-Britain, by their representatives, are your accusers.

And this circumstance is very observable (to exclude all possible supposition of hardship, as to the method of proceeding against you) that however all great assemblies are apt to differ on other points, you were impeached by the unanimous opinion of the House of Commons (not one contradicting.)

They found themselves, it seems, so much concerned in the preservation of his most truly sacred Majesty, and the Protestant succession (the very life and soul of these kingdoms) that they could not omit the first opportunity of taking their proper part, in order to so signal and necessary an act of his Majesty's justice.

And thus the whole body politic of this free kingdom, has in a manner rose up in its own defence, for the punishment of those crimes, which, it was rightly apprehended, had a direct tendency to the everlasting dissolution of it.

To this impeachment you have severally pleaded, and acknowledged yourselves guilty of the high treason therein contained.

Your pleas are accompanied with some variety of matter to mitigate your offences, and to obtain mercy.

Part of which, as some of the circumstances said to have attended your surrender, (seeming to be offered rather as arguments only for mercy, than any thing

thing in mitigation of your preceeding guilt) is not proper for me to take notice of.

But as to the other part which is meant to extenuate the crimes of which you are convicted, it is fit I should take this occasion to make some observations to your lordships upon it, to the end that the judgment to be given against you may clearly appear to be just and righteous, as well as legal; and that you may not remain under any fatal error in respect of a greater judicature, by reflecting with less horror and remorse on the guilt you have contracted, than it really deserves.

It is alledged by some of your lordships, that you engaged in this rebellion without previous concert or deliberation, and without suitable preparations of men, horses, and arms.

If this should be supposed true, on some of your lordships averring it, I desire you to consider, that as it exempts you from the circumstance of contriving this treason, so it very much aggravates your guilt in that part you have undoubtedly borne in the execution of it.

For it shews, that your inclinations to rebel were so well known, (which could only be from a continued series of your words and actions) that the contrivers of that horrid design depended upon you, and therein judged rightly; that your zeal to engage in this treason was so strong, as to carry you into it on the least warning, and the very first invitation: that you would not excuse yourselves by want of preparation, as you might have done; and that rather than not have share in the rebellion, you would plunge yourselves into it, almost naked and unprovided for such an enterprize: in short, that your men, horses, and arms, were not so well prepared as they might, and would have been on longer warning; but your minds were.

My Lords, I am yet an unworthy Member of this great body, the Peerage, now expecting your lordships judgment as to life or death; should it be for life, my demeanor and carriage for the future will be such, as none of your lordships shall be ashamed of having shewed me compassion; but should it be for death, God's will be done. To my last hour I shall pray for the nation's and your lordships prosperity, having this comfort in my present distress, that your lordships are my judges at this tribunal; and yet a greater comfort have I, that I am soon to appear before a greater, where I can't despair of finding mercy and forgiveness for all my sins; I beg God Almighty's pardon for them; I have asked his Majesty's, and do it now: and I do humbly beg leave once more, and perhaps the last occasion ever I shall have, to desire that your Grace, this noble House, and the honourable Commons of Great Britain, who are now here, would intercede with his Majesty for me. I take my leave of your lordships, wishing you all happiness.

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Which impeachment, though one of your lordships, in the introduction to his plea, supposes to be out of the ordinary and common course of the law

It is alledged also as an extenuation of your crimes that no cruel or harsh action (I suppose is meant no rapine or plunder, or worse) has been committed by you.

This may, in part only, be true: but then your lordships will at the same time consider, that the laying waste a tract of land, bears but a little proportion in point of guilt, compared with that crime of which you stand convicted; an open attempt to destroy the best of Kings, to ruin the whole fabrick, and rase the very foundations of a government, the best suited of any in the world, to perfect the happiness, and support the dignity of human nature. The former offence causes but a mischief that is soon recovered, and is usually pretty much confined; the latter, had it succeeded, must have brought a lasting and universal destruction on the whole kingdom.

Besides, much of this was owing to accident; your march was so hasty, partly to avoid the King's troops, and partly from a vain hope to stir up insurrections in all the counties you passed through, that you had not time to spread devastation, without deviating from your main, and, as I have observed, much worse design.

Farther: 'Tis very surprizing that any concerned in this rebellion, should lay their engaging in it on the government's doing a necessary and usual act in like cases, for its preservation; the giving orders to confine such as were most likely to join in that treason: 'tis hard to believe that any one should rebel, merely to avoid being restrained from rebelling; or that a gentle confinement would not much better have suited a crazy state of health, than the fatigues and inconveniences of such long and hasty marches in the depth of winter.

Your lordships rising in arms therefore, has much more justified the prudence and fitness of those orders,

ders, than those orders will in any wise serve to mitigate your treason. Alas! happy had it been for all your lordships, had you fallen under so indulgent a restraint!

When your lordships shall in good earnest apply yourselves to think impartially on your case, surely you will not yourselves believe that it is possible, in the nature of the thing, to be engaged, and continue so long engaged, in such a difficult and laborious enterprize, through rashness, surprize, or inadvertency; or that had the attack at Preston been less sudden, (and consequently the rebels better prepared to receive it) your lordships had been reduced the sooner, and with less, if not without any bloodshed.

No, my lord, these, and such like, are artful colourings proceeding from minds filled with expectation of continuing in this world, and not from such as are preparing for their defence before a tribunal, where the thoughts of the heart, and the true springs and causes of actions must be laid open.

And now, my lords, having thus removed some false colours you have used; to assist you yet farther in that necessary work of thinking on your great offence as you ought, I proceed to touch upon several circumstances that seem greatly to aggravate your crime, and which will deserve your most serious consideration.

The divine virtues ('tis one of your lordships own epithets) which all the world, as well as your lordships, acknowledge to be in his Majesty, and which you now lay claim to, ought certainly to have withheld your hands from endeavouring to depose, to destroy, to murder, that most excellent prince; so the impeachment speaks, and so the law construes your actions: and this is not only true in the notion of law, but almost always so in deed and reality. 'Tis a trite, but very true remark, that there
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are but few hours between Kings being reduced under the power of pretenders to their crown, and their graves. Had you succeeded, his Majesty's case would, I fear, have hardly been an exception to that general rule, since 'tis highly improbable, that flight should have saved any of that illustrious and valiant family.

'Tis a further aggravation of your crime, that his Majesty, whom your lordships would have dethroned, affected not the crown by force, or by the arts of ambition, but succeeded peaceably and legally to it; and on the decease of her late Majesty without issue, became undoubtedly the next in course of descent capable of succeeding to the crown, by the law and constitution of this kingdom, as it stood declared some years before the crown was expressly limited to the House of Hanover. This right was acknowledged, and the descent of the crown limited or confirmed accordingly, by the whole legislature in two successive reigns, and more than once in the latter, which your lordships accomplices are very far from allowing, would bias the nation to that side.

How could it then enter into the heart of man, to think that private persons might with a good conscience endeavour to subvert such a settlement by running to tumultuary arms, and by intoxicating the dregs of the people, with contradictory opinions, and groundless slanders; or that God's providence would ever prosper such wicked, such ruinous attempts? especially if in the next place it be considered, that the most fertile inventions on the side of the rebellion, have not been able to assign the least shadow of a grievance as the cause of it: to such poor shifts have they been reduced on this head, that for want of better colours, it has been objected, in a solemn manner, by your lordships associates, to his Majesty's government, that his people
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do not enjoy the fruits of peace as our neighbours have done since the last war: thus they first rob us of our peace, and then upbraid us that we have it not. 'Tis a monstrous rebellion that can find no fault with the government it invades, but what is the effect of the rebellion itself.

Your lordships will likewise do well to consider what an additional burden your treason has made necessary on the people of this kingdom, who wanted, and were about to enjoy some respite: to this end, 'tis well known, that all new, or increase of taxes, were the last year carefully avoided, and his Majesty was contented to have no more forces than were just sufficient to attend his person, and shut the gates of a few garrisons.

But what his Majesty thus did for the ease and quiet of his people, you most ungratefully turned to his disadvantage, by taking encouragement from thence, to endanger his and his kingdoms safety, and to bring oppression on your fellow-subjects.

Your lordships observe, I avoid expatiating on the miseries of a civil war, a very large and copious subject; I shall but barely suggest to you on that head, that whatever those calamities may happen to be in the present case, all who are, at any time, or in any place, partakers in the rebellion, (especially persons of figure and distinction) are in some degree responsible for them; and therefore your lordships must not hold yourselves quite clear from the guilt of those barbarities which have been lately committed, by such as are engaged in the the same treason with you, and not yet perfectly reduced, in burning the habitations of their countrymen, and thereby exposing many thousands to cold and hunger in this rigorous season.

I must be so just to such of your lordships, as profess the religion of the Church of Rome, that you had one temptation, and that a great one, to
engage

engage you in this treason, which the others had not; in that, 'twas evident, success on your part must for ever have established Popery in this kingdom, and that probably you could never have again so fair an opportunity.

But then, good God! how must those Protestants be covered with confusion, who entered into the same measures, without so much as capitulating for their religion, (that ever I could find from any examination I have seen or heard) or so much as requiring, much less obtaining a frail promise, that it should be preserved, or even tolerated.

It is my duty to exhort your lordships thus to think of the aggravations as well as the mitigations (if there be any) of your offences: and if I could have the least hopes, that the prejudices of habit and education would not be too strong for the most earnest and charitable entreaties; I would beg you not to rely any longer on those directors of your consciences, by whose conduct you have, very probably, been led into this miserable condition; but that your lordships would be assisted by some of those pious and learned divines of the Church of England, who have constantly borne that infallible mark of sincere Christians, universal charity.

And now, my lords, nothing remains, but that I pronounce upon you (and sorry I am that it falls to my lot to do it) that terrible sentence of the law, which must be the same that is usually given against the meanest offender in the like kind.

The most ignominious and painful parts of it are usually remitted by the grace of the crown to persons of your quality; but the law, in this case, being deaf to all distinctions of persons, requires I should pronounce, and accordingly it is adjudged by this court,

That

That you, James Earl of Derwentwater, William Lord Widdrington, William Earl of Nithisdale, Robert Earl of Carnwath, William Viscount Kenmure, and William Lord Nairn, and every of you, return to the prison of the Tower from whence you came; from thence you must be drawn to the place of execution; when you come there, you must be hanged by the neck, but not till you be dead; for you must be cut down alive, then your bowels must be taken out, and burnt before your faces; then your heads must be severed from your bodies, and your bodies divided each into four quarters; and these must be at the King's disposal. And God Almighty be merciful to your souls.

These lords being thus sentenced, were remanded back to the Tower, and on the 18th of February orders were sent to the Lieutenant of the Tower and Sheriffs for their execution; and great solicitations were made in favour of them, which did not only reach the court, but came down to the two Houses of Parliament, and petitions were delivered in both, which being backed by some, occasioned debates: that in the House of Commons arose no higher than to occasion a motion for adjournment, thereby to prevent any further interposition there; but the matter in the House of Peers was carried on with more success, where their petitions were delivered and spoke to, and it was carried by nine or ten voices, that the same should be received and read. And the question was put, whether the King had power to reprieve in case of impeachment? which being carried in the affirmative, a motion was made to address his Majesty to desire him to grant a reprieve to the lords under sentence; but they only obtained this clause, viz. "To reprieve such of the condemn-

the respite should be left to his Majesty's discretion."

To which address the king made answer,

"That on this, and other occasions, he would do what he thought most consistent with the dignity of his crown, and the safety of his people."

The great parties they had made, as was said, by the means of money, and also the rash expressions too rife in the mouth of abundance of their fautors, as if the government did not dare to execute them, did not a little contribute to the hastening their execution: for on the same day the address was presented, the 23d of February, it was resolved in council, that the Earl of Derwentwater, and the Lord Kenmure should be beheaded; and the Earl of Northdale apprehending himself included in the warrant, made his escape the evening before, in a woman's riding-hood, which he found means to do, from a visit his mother and some other relations then paid him.

On the 24th of February, in the morning, three strong detachments of the Life-Guards marched from White-Hall to Tower-Hill, where they took post round the scaffold. About ten the two lords were brought in two hackney-coaches from the Tower of London, received by the sheriffs at the bar, and were conducted to the Transport-Office upon Tower-Hill, where they had separate rooms for their private devotions, and had what friends they desired admitted to them.

The Lord Derwentwater having been about an hour in his room with his friends, sent notice to the sheriffs he was ready, and Sir John Fryer walked before him to the scaffold, and when he was come on it, told him he might have all the time he pleased for his preparation, and asked him if his lordship had any paper to leave behind; to which he answered, he should only read some prayers, &c. out of two small

small books: then he desired he might read a paper which he had drawn up, and repeat the afore-said prayers, &c. and then he should be ready. Accordingly he kneeled down, and spent some time in devotion; and getting up, he took a paper out of his pocket, which he read, and was as follows:

“ Being in a few minutes to appear before the
 “ Tribunal of God, where, though most unwor-
 “ thy, I hope to find mercy, which I have not found
 “ from men now in power; I have endeavoured to
 “ make my peace with his Divine Majesty, by most
 “ humbly begging pardon for all the sins of my life:
 “ and I doubt not of a merciful forgiveness, through
 “ the merits of the passion and death of my Saviour
 “ Jesus Christ; for which end I earnestly desire the
 “ prayers of all good Christians. After this I am to
 “ ask pardon of those whom I might have scanda-
 “ lized, by pleading guilty at my trial. Such as
 “ were permitted to come to me, told me, that hav-
 “ ing been undeniably in arms, pleading guilty was
 “ but the consequence of having submitted to mercy;
 “ and many arguments were used to prove there was
 “ nothing of moment in so doing; amongst others,
 “ the universal practice of signing leases, whereof the
 “ preambles run in the name of the person in pos-
 “ session. But I am sensible that in this I have
 “ made bold with my loyalty, having never any
 “ other but King James the Third for my rightful
 “ and lawful sovereign; him I had an inclination to
 “ serve from my infancy, and was moved thereto by
 “ a natural love I had to his person, knowing him to
 “ be capable of making his people happy: and though
 “ he had been of a different religion from mine, I
 “ should have done for him all that lay in my power,
 “ as my ancestors have done for his predecessors, be-
 “ ing thereto bound by the laws of God and man.
 “ Wherefore, if in this affair I have acted rashly, it

“ ought not to affect the innocent: I intended no
 “ wrong to any body, but to serve my King and
 “ country, and that without self-interest, hoping, by
 “ the example I gave, to have induced others to their
 “ duty; and God, who sees the secrets of my heart,
 “ knows I speak truth. Some means have been pro-
 “ posed to me for saving my life, which I looked upon
 “ as inconsistent with honour and conscience, and
 “ therefore I rejected them; for, with God’s as-
 “ sistance, I shall prefer any death to the doing a
 “ base unworthy action. I only wish now, that the
 “ laying down my life might contribute to the ser-
 “ vice of my King and country, and the re-esta-
 “ blishment of the antient and fundamental consti-
 “ tution of these kingdoms, without which no lasting
 “ peace or true happiness can attend them; then I
 “ should indeed part with life even with pleasure.
 “ As it is, I can only pray, that these blessings may
 “ be bestowed upon my dear country; and since I
 “ can do no more, I beseech God to accept of my life
 “ as a small sacrifice towards it. I die a Roman Ca-
 “ tholic, I am in perfect charity with all the world,
 “ I thank God for it, even with those of the pre-
 “ sent Government, who are most instrumental in my
 “ death. I freely forgive such as ungenerously re-
 “ ported false things of me, and I hope to be forgiven
 “ the trepasses of my youth, by the father of infinite
 “ mercy; into whose hand I commend my soul.

“ JAMES DERWENTWATER.

Postscript of the Speech.

“ If that Prince, who now governs, had given me
 “ my life, I should have thought myself obliged never
 “ more to have taken up arms against him.”

Then Sir John Fryer said, “ My Lord, I desire
 “ your lordship will let me have your paper.”

To which he replied; “ I have sent a copy of it to
 “ my friends,” and then gave it to him. After which
 he

he repeated several portions of scripture out of the
aforefaid book. "Have mercy upon me, O God!
"according to thy loving-kindness, according unto the
"multitude of thy tender mercies, blot out my trans-
"gressions. O Lord! thy will be done. The Lord
"giveth, and the Lord taketh away, and blessed be
"the name of the Lord. Lord! thy will be done
"on earth, as it is done in Heaven. Lord! thy will
"be done on earth, as it is done in Heaven. Lord!
"thy will be done on earth, as it is done in Heaven.
"Give me patience, that I may suffer as becomes
"a Christian and thy disciple." Then, turning to the
executioner, said, May I take off my wig? who an-
swered, that he must; and accordingly did.

Execut. My Lord, must I have your hat and
wig?

Lord Derw. Yes. I forgive all that are concerned
in my execution, and I forgive all the world.

Execut. I ask your lordship's forgiveness.

Lord Derw. With all my heart. I forgive all my
enemies; I forgive the most malicious of them; and
I do forgive you.

And then he made some short ejaculation to him-
self.

Execut. Hath your Lordship any thing to give
me?

Lord Derw. You will find something for you in
my pocket; (which were too half-broad-pieces) and
I have given that gentleman (pointing to him who held
his hat and wig) somewhat more for you.

"Let me lie down once to see how the block fits
me" which he did: then kneeling down again, and mak-
ing a short prayer with the executioner, he arose,
and undressed himself for execution, the executioner
assisting him. After which, he desired the execu-
tioner to take notice, that when he had heard him
say "Sweet Jesus," that then he should do his office
so soon as he pleased. After which he laid himself
down

down on the block, and said, " I forgive my enemies, and hope that God will forgive me ;" and then turning his head up towards the executioner, said, after the third time I cry " Sweet Jesus," strike then, and do what is most convenient for you.

Lord Derw. " Sweet Jesus ! receive my spirit : " sweet Jesus ! be merciful to me : sweet Jesus !" and seemed to be going on, when the executioner broke his sentence by severing his head from his body. Then the executioner taking up the head, and elevating it at the several quarters of the scaffold, cried, with a loud voice, " Behold the head of a traitor : God save King George." After which, his friends not being provided with a hearse and coffin, Sir John Fryer ordered the body to be decently wrapped up in black bays, and carried to a hackney-coach, and delivered to his friends ; one of which had wrapped up his head in a handkerchief. And when the scaffold had been decently cleared, and fresh bays laid on the block, and fresh saw-dust strewed, that none of the blood appeared, then the Lord Viscount Kenmure was sent up to Sir John Fryer, who addressed him after this manner.

Sir John Fryer. My Lord, has your Lordship any person to assist you ?

Lord Kenm. There are two clergymen, and some friends below ; which Sir John Fryer ordered to be called up, and they came accordingly.

Sir John Fryer. My Lord, what are their names ?

Lord Kenm. Mr. Sharp, &c. Whereupon they were called up : he told them he had so little thoughts of dying so soon, that he had not provided a black suit, that he might have died with more decency, for which he was sorry.

Sir John Fryer. Hath your lordship any paper to leave ?

Lord Kenm. No.

Then

Then his Lordship, with the two clergymen, and the rest of his friends, retired to the South-side of the stage, where they joined together in penitential prayers, and others proper to the occasion, taken out of a written book; and after those ended, some out of a printed book: after which he turned himself to his private devotions, which was concluded by a commendatory prayer of the clergyman aforesaid.

Sir John Fryer. Has your Lordship had as much time as you desire? or does your Lordship desire any more? I will wait on your Lordship as long as you please.

Lord Kenm. No, Sir.

Sir John Fryer. Your Lordship is at your liberty. Hath your Lordship any thing particular to say?

Lord Kenm. No, I have not.

He told one of the divines he had prudential reasons for not saying any thing; the chief of which was supposed to be his friendship to the Earl of Carnwath, his brother-in-law, who being under sentence of death, and using means to obtain a reprieve, if he had spoken in the strain the Lord Derwentwater had done, it might have given some persons an ill opinion of the Lord Carnwath's repentance.

Execut. My Lord, what I do is to serve the nation; do you forgive me?

Lord Kenm. I do; and with that gave the executioner eight guineas.

Execut. You have nothing against me.

Lord Kenm. No.

Then of his own accord he pulled off his coat and waistcoat, and one of his friends put on a white linen cap. He had with him Mr. Room the undertaker, to take care of his body, and a surgeon who was to direct the executioner in doing his office, which he did by drawing his finger over that part of the neck where the blow was to be given. He
kissed

kissed the officers and gentlemen on the scaffold all round, and some of them twice or thrice.

Execut. My Lord, will you be pleased to try the block?

Lord Kenm. Give me leave, and I'll give you no sign; upon which his Lordship laid down his head upon the block, and spread forth his hands, and the executioner performed his office: then taking up his head, he said, "Behold the head of a traitor!" After which his friends conveyed his body in a hearse, provided for that purpose, to an undertaker's in Fleet-street. There was a letter to the Pretender, said to be found in his pocket, wherein he recommends to him the care of his children, &c.

George Earl of Winton did not, as the other six lords, plead guilty to the articles of impeachment, but gave in the following answer.

TH E said Earl, saving to himself all benefit of exception, to the uncertainties and insufficiencies in the said articles of impeachment contained, as also all advantages and privileges belonging to him as a Peer of Great Britain; for answer to the said articles, says, that he cannot but esteem it the greatest addition to his afflictions, to fall under the displeasure of the honourable House of Commons; yet as his innocence, under these his misfortunes, is his support, so he hopes it will be his security. He being taken with persons, who were in arms against the government, might reasonably be presumed to be equally guilty, and to be justly joined with them in the same impeachment; but when it shall appear how much the circumstances of his case differs from others, he does not doubt but your lordships great justice will distinguish him in judgment; and that it will be as pleasing to that honourable body, who are his accusers, to have an innocent man acquitted, as one who

is

is guilty, condemned. He begs leave to take notice that he is descended from a very antient noble family, in whose blood the streams of loyalty were always pure, never corrupted or polluted with treason or sedition; and he never degenerated so much from his loyal ancestors, as to form or carry on any design to subvert or alter the constitution of these kingdoms; but for the preservation of it, was upon all occasions ready to sacrifice his fortune, and even his life. He was so cautious to avoid giving occasion to be suspected by the government, that about eight years ago, upon his return from his travels, he withdrew from all conversation, and confined himself to his house, never corresponded by letter with any person whatsoever; yet, to his great misfortune, could not be quiet or safe in his closest retirement, for many persons, both officers and others, of the militia of the shire of Lothian, under the specious pretence of serving the government, but in reality actuated by private pique and revenge, several times, contrary to law, forcibly entered by night into his dwelling-house, called Seaton-Palace, rifled it, turned his servants out of doors, and carried away the provisions of his family: the most sacred places did not escape their fury and resentment; they broke into his chapel, defaced the monuments of his ancestors, took up the stones of their sepulchres, thrust irons through their bodies, and treated them in a most barbarous, inhuman, and unchristian-like manner. Cannon and mortars were brought to demolish his house, and several troops of dragoons having gotten possession thereof, some of them kept guard there; and when they left it, many of the militia entered and kept possession thereof, till they were driven from thence by the Highlanders, by whom he was likewise very ill treated, he being the only person that was plundered by them. By these, and many other severities, the said Earl was forced to leave his house, and seek

for shelter among his tenants and neighbours, where he was pursued from house to house, and at last very unfortunately driven into the company of some of the gentlemen named in the impeachment. He presumes to affirm to your lordships, that he did not join them with a traitorous or rebellious design, but only with an intention to preserve himself from being insulted and assassinated; for he had been once before taken up without any warrant or authority; and having got from the persons in whose custody he was, they threatened, if they could retake him to murder him, and had before imbrued their hands in the blood of the son of a neighbouring gentleman. He never intended to have left his own country; and when some gentlemen mentioned coming into England, he opposed it: he was far from assisting or encouraging them in their undertakings; he was not admitted into their secrets, nor informed of their designs; and was so much a stranger to their proceedings that when they marched towards Northumberland, he was told they were going along the skirts of the hills in Scotland to avoid General Carpenter; but afterwards discovered they were in England, when it was too late, and to return alone into Scotland was too hazardous, which he did not attempt, because he had reason to believe they would soon go back to Scotland.

Although he was constrained to keep the other lords and gentlemen company, yet he never joined with them in any act of hostility, nor assisted in taking any of the publick money, in seizing any guns or other warlike instruments, or countenanced or abetted them therein. He did not at Preston, or elsewhere, fire a pistol, offer violence to any person whatsoever, or in any other manner fight against, or resist his Majesty's forces, but with the rest surrendered himself to General Wills. The honour of a Peer is more valuable than life itself, and therefore

fore he ought to be so much the more cautious that it be not stained with the least imputation of guilt. The said Earl knows his innocence, and hopes your lordships will excuse him, if in justice to himself, and for the preservation of his honour, he does not take upon him the guilt of crimes, the very thoughts of which were always strangers to his breast; and therefore in answer to the impeachment, he says, that “ he “ is not guilty of the treason, and other crimes and mis- “ demeanors mentioned in the said articles, or any “ of them, in manner and form as is therein alledged;” and for his trial, puts himself on your lordships, who are his Peers, and begs your lordships to believe, that his answer proceeds from the sense he has of the truth of it, and not from obstinacy, or any inclination to give your lordships, and the honourable House of Commons, any unnecessary trouble, or from the least doubt or mistrust of his Majesty’s clemency. But if upon his trial it shall appear, that he hath committed any act, which, in the rigour of the law, may be construed to amount to the crime of high treason, he hopes the innocence of his heart, and his ignorance in the law, will, by the power of your lordships intercession, render him an object of his Majesty’s mercy; which he, and the rest, at the time of surrendering themselves, were encouraged by his Majesty’s officers to depend upon. The said Earl submits his case, thus circumstanced, to your lordships great wisdom and judgment, and humbly prays your lordships favourable interpretation thereof, not doubting but to make his innocence appear to your lordships satisfaction.

On March the 15th, 1715-16, the said Earl was brought on his trial, which lasted three days; and to omit the discourses of the counsel, too long here to recite, I shall only mention what was proved against him, to the universal satisfaction of the House of Lords.

That whereas in the September preceeding, the late Earl of Mar in Perthshire, and in the beginning of October, Mr. Forster, and some of the attainted Lords, in Northumberland, with a great number of armed men, raised a rebellion in favour of the Pretender, and proclaimed him king of these realms, and set up his standard :

About the 7th or 8th day of October, the Earl of Winton left his seat at Seaton, in the county of Lothian, armed with a broad-sword and pistols, and carried with him fourteen or fifteen of his servants well mounted, and armed. About the 10th day of October joined the Earl of Carnwath, and the Lord Kenmure, at Moffet, in the county of Anandale, and there they formed a little army, which was commanded by Lord Kenmure, till they joined Forster: that the Lord Winton formed a troop with his own servants and others, and that it was called his troop; and that he paid his own servants 18 d. or 2 s. a day, and that he commanded from that time a squadron of horse, till he and the others surrendered to the King's forces at Preston. That about the 14th or 15th day of October, the Earl of Winton, and the rest of the rebels, marched from Moffet, in a hostile manner, with trumpets and a standard, to Lockmaben; there the Pretender was proclaimed, and the Earl of Winton attended, and joined in the proclamation with his sword drawn. That thence the rebels marched to Auchterfechen, Langholm, Hawick, Jedburgh, Rodberry, and Wooler, where, about the 20th of October, Forster, and his rebels being about 500, joined the Lord Winton and the other Scotch, being three troops of horse. From Wooler they all marched to Kello in Tiviotdale; where the Highland Foot, commanded by Mackintosh, joined them: there at the cross the Pretender was again proclaimed, with sound of trumpet, and colours flying, the Lord Winton assisting.

On the 17th they marched back to Jedburgh, and there were alarmed with an account that the King's forces were near, on which they mounted and marched out of town, and drew up, the Earl of Winton being very active; but the forces advancing, being discovered to be part of the rebels, they returned to Jedburgh, and on the 29th of October they marched to Hawick.

Here cockades were made of blue and white ribbons for the Scotch rebels, to distinguish them from the English, who had red and white; and the Earl of Winton wore one, and distributed others to his men.

On the 30th, from Hawick they marched to Langholm, and on the 31st, about five or six hundred of the Highland foot left them, and went back; and they would not suffer any person to come to them, to persuade them to return, but the Earl of Winton; and he went to persuade them, but could not prevail: and when he returned, declared it was not his fault that they went away; and that he after this very much promoted the rebels coming into England: that here the Earl might safely have left the rebels, if he had thought fit, without hazard.

That from Langholm the rebels marched to Langtown in Cumberland; and on the 1st of November to Brampton, on the 2d to Penrith, on the third to Appleby, on the 5th to Kendal, on the 6th to Lonsdale: at all which places the Pretender was proclaimed king, the Earl of Winton assisting. On the 7th they marched thence to Lancaster, into which the rebels marched, with their swords drawn, particularly the Earl of Winton; that here again they proclaimed the Pretender King, the Lord Winton assisting.

From Lancaster the horse of the rebels marched on the 9th day of November to Preston, the foot halted at Garstang, and came to Preston the 10th.

In

In the way to Preston the rebels were joined by 1500 men, most part being of the county of Lancaster ; and at Preston the Pretender was again proclaimed at the cross : that during this March, at Duns, Brampton, and Appleby, the publick revenue of the King was collected by the rebels, and cesses raised on the King's subjects : that they marched with drums, trumpets, and colours, and took prisoners such as were for his Majesty, caused the Pretender to be prayed for as King, constantly drank his health, by the name of King James, wishing success to their cause. That during the whole march, the Earl of Winton never shewed any uneasiness or backwardness, but always appeared as forward and active as any of the rebels ; that the best quarters, next the Lord Kenmure's, were provided for him, who used to complain, if he did not like his quarters, to Mr. Calderwood the quarter-master. That on Saturday the 12th of November, about one in the afternoon, General Wills with the King's forces invested the town, and attacked it that day, and on Sunday ; and the rebels defended it, and had made a barrier at the entering of the town, and planted the foot in several lanes and streets for their defence, and had the cannon with them which they had seized at Lancaster.

That the Earl of Winton, during the attack, was with the other lords at the head of 200 men, drawn up in the market-place, with his sword and a pistol in one hand, and another in his breast ; and that during that attack many of his Majesty's officers and soldiers were killed : that on Sunday about ten in the morning, General Carpenter came to Preston with some regiments : and that thereupon the rebels, finding themselves to be surrounded, about three in the afternoon sent out Colonel Oxborough to the Generals, to know what terms should be granted them if they would surrender ; that the generals returned
this

this answer, that no terms would be granted to them; but that they must surrender at discretion. That soon after the rebels sent out Captain Dalzeel, to desire time till seven of the clock on Monday morning, to consider whether they should surrender at discretion. Upon which General Carpenter sent Colonel Churchill, and General Wills Colonel Cotton, into the town, to acquaint them that the term they desired should be allowed them, provided they sent out immediately an English Lord, and one of the Mackintosh's, as hostages; that none within the town should attempt to escape, or make any works for their defence: that Colonel Churchill, and Colonel Cotton, told their message to the Earl of Winton and the other Lords, and Mr. Forster, and that they all promised to perform the said conditions; but contrary to this agreement, about six persons attempted to force their way through the King's troops with sword in hand, and were cut to pieces. Upon which hostages were demanded, and the Earl of Derwentwater and Colonel Mackintosh were delivered to them as hostages; and that on Monday morning about seven o'clock, Forster sent to let General Wills know they were ready to surrender at discretion: but Mackintosh being by, said he could not answer that the Scotch would surrender in that manner, for the Scotch were people of desperate fortunes; and that he had been a soldier himself, and knew what it was to be a prisoner at discretion. Upon which General Wills said to him, "Go back to your people again, and I will attack the town; and the consequence will be, I will not spare one man of you." That Mackintosh went back, and came running out immediately again, and said that the Lord Kenmure, and the rest of the noblemen, with his brother, would surrender in like manner with the English: so they did; and then the Lord Forrester took

took possession of the town: that he found the Earl of Winton in arms, and he delivered to him two cases of pistols, and surrendered himself, and complained of the little regard Mr. Forster had shewn to a man of his quality, which was only to give him the post of honour when there was any danger.

The Generals, Carpenter and Wills, declared they never offered any other terms than that the Rebels should surrender at discretion; that they never promised them mercy; nor that they would even intercede for mercy for them, nor gave the Colonels, sent into the town, any orders to offer mercy; and both Colonel Churchil and Colonel Cotton confirmed the same, that they did not either directly or indirectly offer them any terms but to surrender at discretion.

Brigadier Munden deposed, that when the rebels demanded an audience of General Wills, their first demand was for terms; that the answer was, That General Wills would not treat with rebels, but if they surrendered at discretion, they should have their lives spared, till his Majesty's pleasure was known: that then they asked, if those were the only terms; and it was answered, yes; and that all the answer Mr. Wills gave, was, That if he had an inclination, he had no power to give them any, otherwise than saving their lives till his Majesty's pleasure was known; if they expected other terms, they might return into the town again, and he would attack them, and cut them to pieces. And that afterwards when the Lord Derwentwater and Mackintosh were hostages, and the latter was giving an account of the bravery and hardiness of their troops, General Wills told him, he might have proved and tried them, if he had pleased, and then it would have been seen whether the King's troops, or a parcel of rebels, would have acted the braver part: that General

neral Wills received them with the utmost detestation and contempt, and gave them no hope of mercy, either directly or indirectly. After this, the counsel for the Earl of Winton moved in arrest of judgment: but it not being thought sufficient, the lords unanimously found him guilty, and the Lord High Steward proceeded to give sentence as follows:

The Lord High Steward's Speech.

GEORGE Earl of Winton, I have acquainted you, that your Peers have found you guilty that is, in the terms of the law, convicted you of the high treason whereof you stand impeached; after your lordship has moved in arrest of judgment, and their lordships have disallowed that motion, their next step is to proceed to judgment.

The melancholy part am to bear, in pronouncing that judgment upon you, since it is his Majesty's pleasure to appoint me to that office, I dutifully submit to it; far, very far, from taking any satisfaction in it.

Till conviction, your lordship has been spoke to without the least prejudice, or supposition of your guilt; but now it must be taken for granted, that your lordship is guilty of the high treason whereof you stand impeached.

My lord, this your crime is the greatest known to the law of this kingdom, or of any other country whatsoever, and it is of the blackest and most odious species of that crime; a conspiracy and attempt, manifested by an open rebellion, to depose and murder that sacred person, who sustains, and is the Majesty of the whole; and from whom, as from a fountain of warmth and glory, are dispersed all the honours, all the dignity of the state; indeed the lasting and operative life and vigour of the laws, which plain-

ly subsist by a due administration of the executive power.

So that attempting this precious life, is really striking at the most noble part, the seat of life, and spring of all motion in this government; and may therefore properly be called a design to murder not only the King, but also the body politick of this kingdom.

And this is most evidently true in your lordship's case, considering that success in your treason must infallibly have established Popery, and that never fails to bring with it a civil as well as ecclesiastick tyranny: which is quite another sort of constitution than that of this kingdom, and cannot take place till the present is annihilated.

This your crime (so I must call it) is the more aggravated, in that where it proceeds so far as to take arms openly, and to make an offensive war against lawful authority, 'tis generally (as in your case) complicated with the horrid and crying sin of murdering many, who are not only innocent, but meritorious: and if pity be due (as I admit it is in some degree) to such as suffer for their own crimes; it must be admitted a much greater share of compassion is owing to them, who have lost their lives merely by the crimes of other men.

As many as have so done in the late rebellion, so many murders have they to answer for, who promoted it; and your lordship in examining your conscience, will be under a great delusion, if you look on those who fell at Preston, Dumblain, or elsewhere, on the side of the laws, and defence of settled order and government, as slain in lawful war, even judging of this matter by the law of nations.

Alas! my lord, your crime of high-treason is made yet redder, by shedding a great deal of the best blood in the kingdom; I include in this expression the brave common soldiers, as well as those gallant and heroic

roic officers, who continued faithful to death, in defence of the laws: for sure but little blood can be better than that, which is shed while it is warm, in the cause of the true religion, and the liberties of its native country.

I believe it, notwithstanding the unfair arts and industry used, to stir up a pernicious excess of commiseration toward such as have fallen by the sword of justice, (few, if compared with the numbers of good subjects, murdered from doors and windows at Preston only) the life of one honest loyal subject is more precious in the eye of God, and all considering men, than the lives of many rebels and paricides.

This puts me in mind to observe to your lordship, that there is another malignity in your lordship's crime, (open rebellion) which consists in this, that it is always sure of doing hurt to a government, in one respect, though it be defeated; (I will not say, it does so on the whole matter.)

For if the offence is too notorious to be let pass unobserved, by any connivance; then is government reduced to this dilemma: if it be not punished, the state is endangered by suffering examples to appear, that it may be attacked with impunity; if it be punished, they who are publicly or privately favourers of the treason, (and perhaps some out of mere folly) raise undeserved clamours of cruelty against those in power; or the lowest their malice flies, is to make unseasonable, unlimited, and injudicious encomiums, upon mercy and forgiveness (things rightly used, certainly of the greatest excellence.)

And this proceeding, it must be admitted, does harm, with silly and undistinguishing people. So that the rebels have the satisfaction of thinking they hurt the government a little even by their fall.

The only, but true consolation, every wise government has, in such a case, (after it has tempered

justice with mercy, in such proportion as sound discretion directs, having always a care of the public safety above all things) is this; that such like seeds of unreasonable discontent, take root on very shallow soil only; and that therefore, after they have made a weak shoot, they soon wither and come to nothing.

It is well your lordship has given an opportunity of doing the government right, on the subject of your surrender at Preston.

How confidently had it been given out by the faction, that the surrender was made on assurances, at least hopes, insinuated of pardon. Whereas the truth appears to be, that fear was the only motive to it: the evil day was deferred; and the rebels rightly depended, fewer would die at last by the measures they elected, than if they had stood an assault. They were awed by the experienced courage, discipline, and steadiness of the King's troops, and by the superior genius and spirit of his Majesty's commanders, over those of the rebels: so that in truth, they were never flattered with any other terms, than to surrender as rebels and traitors; their lives only to be spared till his Majesty's pleasure should be known.

It was indeed a debt due to those brave commanders and foldiers (to whom their King and country owe more than can be well expressed) that their victory should be vindicated to the present and future ages, from untrue detraction, and kept from being sullied by the tongues of rebels and their accomplices, when their arms could no longer hinder it.

'Tis hard to leave this subject without shortly observing, that this engine which sets the world on fire, a lying tongue, has been of prodigious use to the party of the rebels, not only since, and during the rebellion, but before, while it was forming, and the rebels prepared for it.

False

False facts, false hopes, and false characters, have been the greater half of the scheme they set out with, and yet seem to depend upon.

It has been rightly observed, your lordship's answer does not so much as insist, with any clearness, on that which only could excuse your being taken in open rebellion; that is, you was forced into it, remained so under a force, and would have escaped from it, but could not.

If you had so insisted, it has been clearly proved that that had not been true; for your lordship was active and forward in many instances, and so considerable in military capacity among your fellow-soldiers, as to command a squadron. These, and other particulars, have been observed by the managers of the House of Commons, and therefore I shall not pursue them further, but conclude this introduction to the sentence, by exhorting your lordship with perfect charity, and much earnestness, to consider that now the time is come, when the veil of partiality should be taken from your eyes, (it must be so when you come to die) and that your lordship should henceforward think with clearness and indifference (if possible) which must produce in you a hearty detestation of the high crime you have committed; and being a Protestant, be very likely to make you a sincere penitent, for your having engaged in a design that must have destroyed the holy religion you profess, had it taken effect.

Nothing now remains, but that I pronounce upon you that sentence which the law ordains, and which sufficiently shews, what thoughts our ancestors had of the crime of which your lordship is now convicted, viz., "That you George Earl of Winton, &c."

*Account of the Trial and Behaviour of JAMES
GOODMAN, convicted of Horse-stealing.*

AT the sessions held at the Old Bailey on the 13th of January, 1715—16, *James Goodman*, alias *Footman*, was indicted, together with one *John Stevens*, for stealing a bay gelding, value eight pounds, the property of *William White*, on the 17th of December preceeding.

Mr. White deposed, that on the 9th of October he was met between Stratford and Ilford, by three highwaymen on horseback, one of whom he believed was the prisoner, who took from him his horse, spurs, and one shilling in money. On the 17th of December following he met Goodman at Bow, on the horse that had been stolen from him, and Stephens in company with him.

Hereupon Mr. White sent his servant to demand his horse; which being done, Stephens and Goodman clapped spurs to their horses and rode away; but this deponent and his servant following them, Goodman attempted to fire a pistol at Mr. White, but it flashed in the pan: the prisoners then quitted their horses, and ran into a field; upon which Mr. White gave his servant a small gun, and ordered him to pursue them.

This he did, and the prisoner fired at him twice, but missed him: one of the highwaymen now said, "D—n it, we'll kill or be killed; we will not be taken alive; let us turn upon them and fire; our lives are as good as theirs." Hereupon Mr. White's servant discharged his gun, which was loaded with pebble stones, and hitting the prisoner on the hinder

der part of his head, he fell down, and was immediately secured.

Another person now coming by, drew a hanger, and pursued Stevens, who seeing himself in danger of being taken, presented two pistols, whereupon the other bid him fire, but told him that if he missed his aim he would cleave his skull: upon this, Stevens seeing that his companion was already secured, dropped his pistols and surrendered himself. When the prisoners were taken they had about them two musketoes, each loaded with two bullets, and a screw pistol loaded with three.

The prisoner in his defence said, that the horse was lent him, and called two persons to prove it, one of whom, who kept an inn, swore, that in the month of November preceeding, four men came and put up their horses in his stables; that the horse claimed by the prosecutor was lame by a cut on the knee; that one Smith came and desired that a farrier might be sent for to cure him, and that the four persons went away, leaving the horse for that purpose: that the horse being cured, Smith's brother came, paid the farrier, and had an order to deliver the horse to the prisoner. The farrier likewise confirmed this evidence as far as it related to him; but the court being of opinion that the evidences were accomplices with the prisoner, the jury found him guilty.

After conviction Goodman was put into the Bail-dock; but before the time of receiving sentence about, seven o'clock in the evening, he, by the assistance of some of the other prisoners, got over the spikes, and though he had his fetters on, made his escape.

It happened that before Goodman was convicted he had given some money to a carrier, to convey into the country to a woman that he called his wife; but this person hearing of his conviction, converted the money to his own use. About a month after his escape, he was foolish enough to go to an ale-house

house in Holborn, to meet an attorney, in order to give him directions to sue the carrier; when some persons in the public house happening to know him, gave immediate notice to the keepers of Newgate, who went and apprehended him, but not without difficulty, as he made a resolute and obstinate resistance. In consequence hereof he was called down at the next sessions, and received sentence of death.

James Goodman said he was thirty two years of age, born at Little Harwood in Buckinghamshire, of honest parents, who gave him a virtuous education; that he was put apprentice to a carpenter in Aylesbury, with whom he served seven years; and, not long after his time was out, he, with two more young men, went out one day in a frolick to hunt a deer, saying, they would have a venison patty, and be merry; but one of them being admitted an evidence against him and the other, they were apprehended, and not being able to pay 30 l. a piece, the usual fine in such cases, they were both committed to Aylesbury gaol for a year and a day; during which time he worked at his trade; and about two years after he came out, he married, and was in good business and reputation for about nine years; but at length falling into bad company, he neglected his lawful employment, became very loose, and so brought his wife and children to ruin.

He acknowledged the commission of the fact which cost him his life, and said that in ten months past he had committed many robberies, none of which were very considerable. He implored the forgiveness of God, and of all those who had been injured through his means.

This malefactor was executed at Tyburn, on the 12th of March, 1715—16.

*Account of the Behaviour of WILLIAM PAUL,
Clerk, who was executed for High Treason.*

TH E unfortunate subject of the following narrative, who was the son of John Paul of Little Ashby near Lutterworth in Leicestershire, commenced batchelor of arts in St. John's College, Cambridge, in the the year 1702, after which he was curate of Carlton Curlieu, near Harborough in his native county, and at the same time Chaplain to Sir Geoffry Palmer.

Leaving Carlton-Curlieu he went to Tamworth, in the county of Stafford, where he was curate and usher of the free-school. From hence he went to Nun-Eaton, in Warwickshire, where he officiated as curate for the Reverend Mr. Foxcroft, till the Bishop of Oxford presented him to the vicarage of Orton on the Hill, in the county of Leicester. He was instituted in this vicarage by the Bishop of Lincoln, on the 5th of May, 1709; when he took the oaths to Queen Anne, and abjured the Pretender, as is usual in such cases.

When the rebels were at Preston, Mr. Paul going down into that country to join them, was seized and carried before Colonel Noel, a justice of the peace, who discharging him, he proceeded to Preston, where he read prayers to the rebels three days successively, and prayed for the Pretender, by the name of King James, in the parish church: but just before the King's troops invested the town of Preston, he left that place, and coming up to London, he disguised himself by wearing coloured cloaths, a laced hat, a full-bottomed wig, and a sword.

Mr. Paul being accidentally met in this dress near Montague-House, by Mr. Bird, a justice of the peace for the county of Leicester, who knew him well, he took him prisoner, and conveyed him to the Duke of Devonshire's; after which he was carried before the Secretary of State, by whom he was examined, but making no confession, he was first delivered to the custody of a Messenger, and at the end of about fourteen days was committed to Newgate.

On the 31st of May following he was arraigned at Westminster, and pleading Not Guilty to his indictment, he was remanded back to Newgate, from whence he sent the following letter to a gentleman of his acquaintance.

Good Sir,

IF time will permit, I desire your company for one minute, upon the receipt of this; and you will for ever oblige yours,

W. PAUL.

Upon his friend's coming to Newgate, Mr. Paul said, "What must I do? I am this day arraigned, and pleaded Not Guilty: but that's little to the purpose;" and then continued, with tears in his eyes, "There is too much will be proved against me." To which his friend replied, "If this be true, and you are already condemned in your own conscience, to what purpose do you stand trial? you have sufficiently provoked the government already, and will exasperate it more, by denying that, which by your own confession will be proved against you; but however do as you please, I will persuade you to nothing: but in my opinion, the best way is to confess your fault, ask pardon, and throw yourself upon the King's mercy." Hereupon he said, his counsel advised him the same, and he was fully resolved to follow their advice, being unwilling

willing to be hanged, if he could possibly avoid it: and accordingly the two following petitions were drawn up, and being greatly approved by him, he resolved to present them.

To the Right Honourable Sir Peter King, Lord Chief Justice, &c. the humble Petition of William Paul, Clerk;

Sheweth,

THAT your petitioner, through the grace of God, having a deeper insight into, and a more lively sense of the crimes and offences by him committed, doth now at last detest and abhor (from the bottom of his soul) the late unnatural rebellion, begs pardon of God, King George, and his native country, against all which he has highly offended; sincerely repents, declares his unfeigned and hearty sorrow, in having been instrumental toward encouraging and promoting the same. He owns himself to be highly culpable in pleading Not Guilty at his arraignment: prays leave to retract that plea; acknowledges the indictment preferred and found against him, to be just and true; implores and hopes your Lordship, from your innate goodness, and Christian charity, will be pleased to recommend him to his most Sacred Majesty, as a sincere penitent, and, though unworthy, an object of mercy; for which, as bound in duty, your petitioner shall for ever pray, &c.

To his most Sacred Majesty, George, by the Grace of God, King of Great Britain, France, and Ireland, &c. The humble Petition of William Paul, Clerk,

Sheweth,

THAT your petitioner, now a prisoner in Newgate, for the late unnatural rebellion against your

Majesty, the church and nation; by all which he owns to have highly offended; and therefore in all submission prostrates himself at your sacred feet, begs for mercy, promises and vows all loyalty and obedience to your Majesty's person and government for time to come; and that no seditious humour shall stir or move him from his duty; and therefore humbly hopes your Majesty's piety and goodness will pardon past offences, and crimes by him committed, and accept his sincere and hearty repentance. And from the true affection of his heart, (as in duty bound) shall be poured out daily and devout prayers to the God of Heaven, for your Majesty's long life, happy reign, prosperous estate, and royal posterity, in this world, and for ever and ever.

He wrote also several letters and petitions, some of which are as follow.

To the Archbishop of Canterbury.

May it please your Grace, July, 9.
AT my trial I thought I had a very good plea, but was advised by the lawyers, as the surest way to obtain mercy, to plead Guilty; upon which I threw myself wholly upon the King's mercy. What confession the court would have from me, I cannot tell; I am sure your Grace would not have me, for the world, speak more than I know. I declare before Almighty God, upon the word of a clergyman, I never brought any letter out of Preston, or went to any one gentleman, or spoke the least thing that tended that way, viz. to rebellion; but came into my own country as fast as I could, and so to London, where I was seized, and sent to Newgate. I humbly desire your Grace once more to believe me, and to use your utmost endeavours to save a poor clergyman's life. If it will not be granted

ed

ed to spend the remainder of it in England, I beg you'll be pleased to send me to the Plantations, or any where rather than Tyburn. I humbly desire your Grace to consider a poor afflicted servant, and take him from this nasty prison.

My Lord,

I am your Lordship's most humble,
and most obedient Servant,

WILLIAM PAUL.

My Lord, I never did, since I was in Newgate, pray for the Pretender by any name or title.

Another to the same.

My Lord,

I Beg pardon for troubling your grace ; but presuming upon your goodness, once again humbly desire you to intercede with his Royal Highness for mercy. The dead warrant is come down for execution on Friday next. What ill steps I have made in my life past, I hope Almighty God will forgive me ; but the things that are laid to my charge, viz. Preaching up rebellion, advising my parishioners to take up arms, and that I preached several seditious sermons ; all which are false upon the word of a clergyman ; as I have a certificate to prove for six years, the time of my being at Orton, handed * by most of the parish. Another thing is objected against me, that I was concerned in several consultations, but I am innocent and ignorant, I call God to witness, of any design that was formed in any part of the kingdom against the government ; and if ever I knew of any meeting, but where I was unfortunately at Preston, or consultation, or ever asked or advised any body to rise in rebellion, let me suffer.

* We suppose he means *signed*.

I desire

I desire your Grace will endeavour to save me this time from that ignominious death the halter, and dispose of me in what part your Lordship pleaseth.

If nothing can be done, -I humbly desire your Lordship's blessing, and prayers for patience and courage in this severe time of trial. For God's sake, my Lord, do what lies in your power to save the life of a poor afflicted clergyman; the remaining part of which, shall be spent in prayers for your Grace, and all that endeavoured to bring me out of these great troubles.

Newgate,
July 9.

My Lord, I am your Lordship's
most humble and most obedient
Servant,

W. PAUL:

The following Letter was written by Mr. Paul, to my Lord Townshend, the night before his Execution.

My Lord,

MR. Patten was so kind to pay me a visit in my affliction, and desired me, if I knew any thing relating to the government, to declare it. My Lord, I solemnly declare, I call Almighty God to witness, I carried no letter from Preston, though I told Mr. Patten so, which was only a feint, that I might go off; and if Mr. Patten will do me justice, he can tell your Lordship how uneasy I was, when I discovered my rashness. My Lord, I depend solely upon your Lordship's goodness in this my miserable condition. I wish, my Lord, I could have my life saved, that I might shew to the world how heartily I am sorry
for

for all my past errors, and no man shall demonstrate it more than,

My Lord,
Your Lordship's most humble and
most obedient Servant,

W. PAUL.

My Lord, Mr. Patten saith it is an aggravation to my crime, that I prayed in express terms, in Newgate, for the Pretender, by the name of King James; I declare I never did. I once more crave your Lordship's kind assistance to procure me my life.

A Letter from Mr. Paul to his Kinswoman.

Newgate, July 8, 1716.

My dear, dear Nanny,

WHAT I all along feared, is come upon me; and that habit, which, after my commitment, I was in hopes would have been my protection from a public execution, has, I am apt to believe, rather hastened, than put it backward; since I am among the number of those that are to suffer next Friday in the dead warrant, and have little hopes of a reprieve, which is extremely afflicting to me. I must beg you to come to me at the receipt of this, that we may concert measures together, if it be possible, for my preservation; for I cannot think of dying the death of a dog, by the hands of a merciless executioner, with any manner of patience. Transportation, perpetual imprisonment, or any other condition of life, will be infinitely preferable to so barbarous and unsupportable a way of ending it; and means must be found for preventing, or I shall anticipate the ignominy of the halter, by laying violent hands on myself. Give Mr. C——r to understand, that he may promise any thing, that he shall think fit, in my name; and that his Royal Highness the Prince,
and

and his council, shall have no cause to repent of their mercy to me, if they shall be pleased to extend it to so miserable an object as I am, who take shame to myself in being any ways concerned in evil practices against the government, which I shall, for the future, pay the utmost obedience to, without any manner of reserve.

Let him do this, or any other thing that shall be judged consistent with my escape from the hands of the common hangman, which I cannot think of without the utmost distraction and confusion. Oh! that I had never seen that unfortunate town of Preston; that I had never left my parishioners at Orton, for vain and empty chimeras! Oh! that I had never pleaded guilty, and had as little followed the persuasions of my counsel so to do, as I did the dictates of right reason, when I embarked in so unpromising an undertaking. Conjure him, I conjure you, instantly to let my Lord of L. know, that it will be a scandal to the gown, a reproach to the church, to hang a clergyman; and let there not be a courtier left untold, that I will come to any terms to save my life. I can say no more for the apprehensions of approaching death, but that I am, dear Nanny,

Your most affectionate,

WILL. PAUL.

Another to a Clergyman.

Rev. Sir,

IT is as grievous to me, as to lie under the sentence of death, to think myself suspected by any of my brethren the clergy. What grounds have been given by me for any such ungenerous calumnies, I know not: but by yours to your brother, wherein I seem to be charged with having given information above, concerning you and other neighbouring divines, which
I beg

I beg you to take from the words of a man, who has very little prospect of life, I never had so much as in my intentions; you perhaps may think, that by reason of some discourse held amongst us, the last time you and I, with others of the same cloth, met, that I might think you as dissatisfied with the present government, as myself; and that thereupon I have sought to make my court to men in power by such discoveries. But rest assured, and tell your neighbour Mr. M—— the same, that whatever low steps the fear of going out of the world in so ignominious a manner, as at the gallows, may make me take, I shall never stoop to so base an action as that of turning informer, especially where there is no room to do it, and where gentlemen are to be concerned, whose good character of me must be the only means of saving my life. Thus much in relation to the letter your brother shewed me. Now I am to clear myself of a fault, wherewith I am told I am charged in the country, and that is, pleading guilty: my counsel indeed advised me to do so, in hopes of mercy, and so did some great men in spiritual high places; which, however, I was determined not to do, had not I, when brought to my trial, perceived men in court that must have infallibly convicted me of being very active in my way, before and after our arrival at Preston; which, if I had given the witnesses the trouble of proving, I could have had no chance for my life: among these, Mr. —— whom you know very well, and who caused me to be taken up; and some others, prejudiced enough against me on divers accounts. I could have wished, indeed, that my inexperience in the affairs I left the country upon, might have withheld me from joining in so rash an undertaking as the late rising; but since what is past cannot be recalled, I must beg you, with the rest of the clergy, to join in a testimonial concerning my behaviour, which I have caused to be

sent down into the country, in order to back a petition that is to be presented to the King and council, for sparing my life ; which, if it cannot be obtained, shall, during its continuance, with my latest breath, be employed in praying for you and them.

I am, Reverend Sir,

Your most afflicted brother,

Newgate,

and faithful Servant,

June 14, 1716.

WILL. PAUL.

A Letter to another Clergyman.

Reverend Sir,

JUST before the receipt of yours, I have received orders to prepare for death, on Friday next, and must be very pressing with you to spare no time in communicating what I told you of to her Grace the Dutchess. I am very unwilling to take such low steps, but the preservation of life is sweet, and the thoughts of dying by the common hangman are very bitter. I had hopes of the intercession of several other great personages, but was deceived in those expectations through the false delusion of pretended friends : and now finding nothing left for me to do, but to agree to what conditions shall be imposed on me, no man shall be a more hearty well-wisher to King George's interest, and a greater enemy to the Pretender's, than myself, provided my life can be spared ; which it is very grievous for me to think of parting with at these years, and after the manner it is intended for me to lose it. I said at my trial I had never taken the oaths to King George, but am ready to do it, or almost any thing else,

on

on the terms abovementioned; therefore, for God's
 sake, acquit yourself with dispatch, in favour of,
 Reverend Sir,

Your most afflicted
 and faithful Servant,
 Newgate,
 July 9, 1716. WILL PAUL.

After sentence was passed, Mr. Paul was visited by a Nonjuring Clergyman, who did all in his power to support his spirits, by representing the justice of the cause in which he was to suffer; but he seemed extremely uneasy under the apprehension of approaching death, till within a very few days of his execution; when he was more steady and composed.

He was carried to the place of execution in a sledge, dressed in his canonical habit, on the 13th of July, 1713, and there made the following speech.

Good People,

I AM just going to make my appearance in the other world, where I must give an account of all the actions of my past life; and though I have endeavoured to make my peace with God, by sincerely repenting of all my sins, yet forasmuch as several of them were of a public nature, I take it to be my duty to declare here, in the face of the world, my hearty abhorrence and detestation of them.

And first, I ask pardon of God and the King, for having violated my loyalty, by taking most abominable oaths, in defence of usurpation, against my lawful sovereign King James the Third.

And as I ask pardon of all whom I have injured or offended, so I do especially desire forgiveness of all those whom I have scandalized by pleading guilty. I am sensible it is a base and dishonourable action, that it is inconsistent with my duty to the king, and an entire surrender of my loyalty. Human frail-

ty, and too great a desire of life, together with the persuasion of several, who pretended to be my friends, were the occasion of it. I trust God of his infinite mercy has forgiven me, and I hope all good Christians will.

You see, my countrymen, by my habit, that I die a son, though a very unworthy one, of the Church of England; but I would not have you think I am a member of the Schismatical Church, whose bishops set themselves up in opposition to those orthodox fathers, who were unlawfully and invalidly deprived by the Prince of Orange. I declare that I renounce that communion, and that I die a dutiful and faithful member of the Nonjuring Church, which has kept itself free from rebellion and schism, and has preserved and maintained true orthodox principles both as to church and state: and I desire the clergy and all members of the Revolution Church, to consider what bottom they stand upon, when their succession is grounded upon an unlawful and invalid deprivation of Catholic Bishops, the only foundation of which deprivation is a pretended act of parliament.

Having asked forgiveness for myself, I come now to forgive others. I pardon those who, under a notion of friendship, persuaded me to plead guilty. I heartily forgive all my most inveterate enemies, especially the Elector of Hanover, my Lord Townsend, and others, who have been instrumental in promoting my death. Father, forgive them! Lord Jesus have mercy upon them! and lay not this sin to their charge.

The next thing I have to do, Christian friends, is, to exhort you all to return to your duty. Remember that King James the Third is your only rightful sovereign, by the laws of the land, and the constitution of the kingdom; and therefore, if you
would

would perform the duty of justice to him which is due to all mankind, you are obliged, in conscience, to do all you can to restore him to his crown: for it is his right; and no man in the world, besides himself, can claim a title to it. And as it is your duty to serve him, so it is your interest; for till he is restored, the nation can never be happy. You see what miseries and calamities have befallen this nation by the revolution; and I believe you are now convinced, by woeful experience, that swerving from God's laws, and thereby putting yourselves out of his protection, is not the way to secure you from those evils and misfortunes you are afraid of in this world. Before the revolution, you thought your religion, liberties, and properties in danger; and I pray you to consider, how you have preserved them by rebelling: are they not ten times more precarious than ever? who can say he is certain of his life or estate, when he considers the proceedings of the present administration? and as for your religion, is it not evident that the revolution, instead of keeping out Popery, has let in Atheism? do not heresies abound every day, and are not the teachers of false doctrine patronised by the great men in the government? this shews the kindness and affection they have for the church; and to give you another instance of the respect and reverence they have for it, you are now going to see a priest of the Church of England murdered for doing his duty; for it is not me they strike at so particularly, but it is through me they would wound the priesthood, bring a disgrace upon the gown, and a scandal upon my sacred function. But they would do well to remember, that he who despises Christ's priests, despises Christ; and he who despises him, despises him that sent him.

And now beloved, if you have any regard to your country, which lies bleeding under these dreadful extremities,

extremities, bring the King to his undoubted right; that is the only way to be freed from these misfortunes, and to secure all those rights and privileges which are in danger at present. King James has promised to protect and defend the Church of England, he has given his royal word to consent to such laws which you yourselves shall think necessary to be made for its preservation. And his Majesty is a prince of that justice, virtue, and honour, that you have no reason to doubt of the performance of his royal promise. He studies nothing so much as to make you all easy and happy, and whenever he comes to his kingdom, I doubt not but you will be so.

I shall be heartily glad, good people, if what I have said has any effect upon you, so as to be instrumental in making you perform your duty. It is out of my power now to do any thing more to serve the King, than by employing some of the few minutes I have to live in this world, in praying Almighty God to shower down his blessings spiritual, and temporal, upon his head, to protect and restore him, to be favourable to his undertaking, to prosper him here, and to reward him hereafter. I beseech the same infinite goodness to protect and defend the Church of England, and to restore it to all its just rights and privileges; and lastly, I pray God to have mercy upon me, pardon my sins, and receive my soul into his everlasting kingdom, that with the Patriarchs, Prophets, Apostles, and Martyrs, I may praise and magnify him for ever and ever. Amen.

As to my body, brethren, I have taken no care of it, for I value not that barbarous part of my sentence, of being cut down and quartered. When I am once gone, I shall be out of the reach of my enemies; and I wish I had quarters enough to send to every parish in the kingdom, to testify that a clergyman of the Church of England was martyred for being loyal to his King.

July 13, 1716.

WILLIAM PAUL.

*Account of the Trial and Behaviour of JOHN
HALL, Esq. executed for High Treason.*

ON the 16th of May, 1716, *John Hall, Esq.* was brought to his trial at the Court of Exchequer in Westminster, being charged with high treason, in joining, aiding and abetting the rebels.

In the course of the evidence it appeared that he joined the rebels soon after their meeting at Plainfield, and that he marched with them to Preston, where he was made prisoner.

One Mr. Patten deposed, that he saw him on horseback among the rebels near a place called Wooller, and another evidence swore positively to the seeing him at Rodberry, with several others of the rebels.

In his defence the prosecutor pleaded, that being a justice of the peace, he had been to the sessions at Alnwick, where he heard of the meeting at Plainfield; that from Alnwick he rode to the house of a friend, where he staid all night, and as he was going home the next day, the weather being very tempestuous, he stooped on his horses neck, with his head to the wind; that while he was in this situation the rebels suddenly surrounded him and his servant, and took them away by force; and that at this time he had no arms, nor more than seven shillings and six-pence in money.

Mr. Hall's man swore to the truth of the above particulars, and likewise that his master never was at Rodberry, at the time mentioned by the evidence against him: but being cross-examined by the council for the crown, he was rather averse to the answering

swering such questions as were put to him : nor did it appear by his evidence that the horses were confined, but that he looked after them as usual, and that Mr. Hall rode out when he pleased ; and Mr. Patten being again called, said that he never saw any restraint laid on Mr. Hall, but that he was as much at liberty as himself.

The prisoner called witnesses to prove that he had expressed a dissatisfaction at being compelled to join with the rebels, and declared that he had no disaffection to the government ; and herein consisted his defence.

In the charge that the court gave to the jury it was observed, that if a man was seen with rebels, even if he had been forced into their company, yet if it appeared that he had frequent opportunities of escaping, and did not do it, but continued by his presence to abet and comfort them, it was treason within the meaning of the law ; that if the plea of being forced among them was allowed, it would be almost impossible to prove any one guilty, since every man might plead the same thing.

The jury hereupon found the prisoner guilty ; and on his being afterwards brought to the bar, and asked what he had to say why judgment should not be passed upon him according to law, he desired that some time might be allowed him, saying, that he was tried by a new law which he did not understand, and in a strange place where he knew nobody ; but that if he had time he could produce many witnesses, who would give him a good character, and prove that he was not disaffected to the government : but the court telling him that it was now too late, and that his request could not be granted, he replied “ God’s will be done,” and immediately received sentence of death.

While

While Mr. Hall was under condemnation he was attended by a Nonjuring clergyman, and behaved himself with the utmost submission to the dispensations of Providence. Though he spent most of the ready money he was possessed of in obtaining reprieves, yet it does not appear that he had any great expectation of a pardon, by his having written the following paper some weeks before he suffered: It is said that his having provided this speech came to the knowledge of the people in power; for when a certain nobleman was making interest for his pardon, he was answered, "By no means, my good Lord; 'twere a pity Mr. Hall should lose the opportunity of leaving such a speech behind him, as he gives out will raise the spirits of the whole nation, to be of the same mind with him, and will be instrumental in bringing in the person whom he calls his lawful sovereign, King James the Third."

On the day of execution Mr. Hall was carried in a sledge to Tyburn (in company with Mr. Paul the clergyman) and was attended by a divine of his own communion, who having prayed with him a considerable time, left him to his private devotions: and a little while before he was turned off, he delivered the following paper to the sheriff.

Friends, Brethen, and Countrymen,

I Am come here to die, for the sake of God, my King, and my country; and I heartily rejoice that I am counted worthy of so great an honour: for let not any of you think that I am come to a shameful and ignominious end: the truth and justice of the cause for which I suffer, makes my death a duty, a virtue, and an honour. Remember that I lay down my life for asserting the right of my only lawful Sovereign King James the Third, that I offer myself

No. 7.

M m

a victim

a victim for the liberties and happiness of my dear country, and my beloved fellow-subjects; that I fall a sacrifice to tyranny, oppression, and usurpation. In short, consider that I suffer in the defence of the command of God, and the laws, and hereditary constitution of the land; and then know, and be assured, that I am not a traitor, but a martyr.

I declare that I die a true and sincere member of the Church of England, but not of the Revolution Schismatical Church, whose bishops have so rebelliously abandoned the King, and so shamefully given up the rights of the church, by submitting to the unlawful invalid lay-deprivations of the Prince of Orange. The communion I die in, is that of the true Catholick Nonjuring Church of England, and I pray God to prosper and increase it, and to grant, (if it be his good pleasure) that it may rise again, and flourish.

I heartily beg pardon of all whom I have in any manner, and at any time injured and offended. I do particularly implore forgiveness of God and my King, for having so far swerved from my duty, as to comply with the usurpation, in swearing allegiance to it, and acting in public posts by the usurper's commissions, which were void of all power and authority. God knows my heart, I did this at first through ignorance and error, but after I had recollected myself, and informed my judgment better, I repented, and drew my sword for the King, and now submit myself to this violent death for his sake. I heartily pray God my patience and my sufferings may atone for my former crime; and this I beg through the merits, mediation, and sufferings of my dearest Saviour Jesus Christ.

I do sincerely forgive all my enemies, especially those who have either caused or increased the destruction in church or state; I pray God have mercy upon them, and spare them, because they are the works of
his

his own hands, and because they are redeemed with his son's most precious blood. I do, particularly, forgive from the bottom of my heart, the Elector of Brunswick, who murders me; my unjust pretended judges and jury, who convicted and condemned me; Mr. Patten and Mr. Carnaby, evidences who swore against me at my trial. And I do here declare, upon the words of a dying man (and all my Northumberland fellow prisoners can testify the same) that the evidence they gave was so far from being the truth, the whole truth, and nothing but the truth, that in relation to my indictment, they swore not one true thing against me, but many absolute falsehoods. I pray God forgive them, for I am sure I do.

Lastly, I forgive all who had a hand in the surrender at Preston, for they have surrendered away my life; and I would to God that were the only bad consequence of it. But alas! it is too plain that the surrenderers not only ruined many of his Majesty's brave and faithful subjects, but gave up their King and country into the bargain: for it was then in their power to have restored the King with triumph to his throne, and thereby to have made us a happy people. We had repulsed our enemies at every attack, and were ready, willing, and able to have attacked them.

On our side, even our common men were brave, courageous, and resolute; on the other hand, theirs were directly the contrary, insomuch, that after they had run away from our first fire, they could never be brought so much as to endeavour to stand a second. This I think myself obliged in justice to mention, that Mr. Wills may not impose upon the world, as if he and his troops had conquered us, and gained the victory; for the truth is, after we had conquered them, our superiors thought fit to capitulate and ruin us; I wish them God's and the King's pardon for it.

May it please God to bless, preserve, and restore our only rightful and lawful sovereign King James the Third; may he direct his counsels, and prosper his arms; may he bring him to his kingdom, and set the crown upon his head.

May he protect him from the malice of his enemies, and defend him from those, who for a reward would slay him innocent! may he grant him in health and wealth long to live; may he strengthen him that he may vanquish and overcome all his enemies; and finally, when it pleases his infinite wisdom to take him out of this world, may he take him to himself, and reward him with an everlasting crown of glory in the next.

These, my beloved countrymen, are the sincere prayers, these the last words of me who am now a dying person; and if you have any regard to the last breath of one who is just going out of the world, let me beg of you to be dutiful, obedient, and loyal, to your only sovereign liege lord, King James the Third; be ever ready to serve him, and be sure you never fail to use all your endeavour to restore him; and whatever the consequence be, remember that you have a good cause, and a gracious God, and expect a recompence from him.

To that God, the God of truth and holiness, the rewarder of all who suffer for righteousness sake, I commend my soul, beseeching him to have mercy upon it, for the sake of my dear Redeemer, and merciful Saviour, Jesus Christ our Lord. Amen, Amen, Amen.

July 13. 1716.

JOHN HALL.

Postscript.

I might reasonably have expected my life would have been saved, since I had obtained five reprieves; but I find that the Duke of Hanover, and his evil counsellors

Engraved for the Tyburn Chronicle.



*James Sheppard, under Examination at the Secretary of
State's Office, on a Charge of High Treason.*

counsellors who guide him, have so little virtue and honour themselves, that they are resolved not to spare my life, because I would not purchase it upon base and dishonourable terms. I have reason to think, that at first I could have secured my life and fortune, if I would have pleaded guilty; and I doubt not but I might since have obtained favour, if I would have petitioned in a vile scandalous manner: but I was resolved to do nothing whereby I should have disowned my King, and denied my principles; and I thank my good God, both for inspiring me with this holy resolution, and for giving me the grace to perform it.

July 13, 1716. JOHN HALL.

He was executed at Tyburn on the 13th of July, 1716.

Account of the Trial and Behaviour of JAMES SHEPPARD, executed for High Treason.

AS the case of this boy made a great noise in the world, and as there is something very extraordinary in the whole of his behaviour, we shall be very particular in our account of the affair.

At the sessions held at the Old Bailey on the 6th of March 1717, James Sheppard was indicted for high treason, in imagining and compassing the death of his most sacred Majesty King George the First.

The council for the crown having opened the cause, acquainted the court with the reasons for prosecuting the prisoner, and then proceeded to call
their

their evidences, the first of whom was Martha Wale, servant to Mr. Leak, who deposed, that on Friday the 24th of January, the prisoner came to her master's house, and enquired if he was at home, and upon her telling him that he was not, he gave her a letter, which she delivered to her master's daughter, who seeing that it was directed to the Reverend Mr. Heath, said that it was not for her father: that on her master's coming home the letter was delivered to him, and he also observing the direction, said it was not for him; but this deponent saying that the prisoner gave it to her to deliver to him, he opened it and read it to himself, after which he told her young mistress and her, that it was a villainous letter, read it to them, and saying it was not fit to be kept, threw it into the fire, and went up stairs into his study; that after some time he came down stairs, and said he would go and acquaint Sir John Fryer with it, which he accordingly did. This deponent likewise added, that on hearing the letter read at Lord Sunderland's office which the prisoner had wrote when before Sir John Fryer, she did believe that it was a copy of what Mr. Leak had read to her and her young mistress and burnt.

The daughter of Mr. Leak confirmed the above evidence, and being asked if she remembered the contents of the letter which her father had read and burnt, she replied, that the substance of it respected the destroying of the king, and she believed it was nearly the same as the prisoner afterwards wrote in the presence of Sir John Fryer.

Mr. Leak deposed, that having been abroad on the evening of the 24th of January, when he came home his maid gave him a letter directed for the Reverend Mr. Heath; that upon reading the superscription he doubted whether it was for him; but upon the maid's saying that it was left for him,
and

and upon recollecting that there was no such person as Mr. Heath a clergyman in that neighbourhood, he opened the letter, and having read the contents to himself, he told his daughter and maid that it was a wicked and villainous letter, and reading it to them, he threw it into the fire and burnt it, in abhorrence of the atrocious design.

Having done this, he went up into his study, and reflecting on the matter, he suspected that some malicious person had sent it with a view to have his house afterwards searched, and finding it there, to fix the odium upon him: whereupon he came to the resolution of acquainting Sir John Fryer with the affair, which he did the next morning, when Sir John told him he ought to have seized the person who brought the letter; to which he replied that he remembered the person had promised to call again on the Monday following, and Sir John ordered him, if he came, to get a constable and secure him.

On the Monday following the prisoner came, and Mr. Leak asked him if his name was James Sheppard, and if he left a letter for him on the Friday before; to which he replied, yes; whereupon Mr. Leak sent for a constable, and took him before Sir John Fryer, when he owned the bringing the letter, and wrote a copy, which did very much agree with the letter which Mr. Leak had burnt.

Sir John Fryer deposed, that Mr. Leak came to him, on the Saturday morning, and in a kind of agony told him the contents of the letter he had received: that he gave him directions to secure the person if he came again on Monday: and that accordingly, being with some gentlemen on Monday, at the Fountain tavern in Stock's-Market, his servant came to him and told him, that Mr. Leak, a constable, and the prisoner wanted to speak with him. That he ordered his man to get a room below stairs,
and

and desiring Mr. Nichols and Mr. Langly, who were in his company, to go in with him, he examined the prisoner, asked him if his name was James Sheppard, and if he had delivered a letter to Mr. Leak's maid on the Friday night before, directed for the Reverend Mr. Heath? to which he replied, his name was James Sheppard, and he had delivered such a letter; that then he asked the prisoner if he had a copy of that letter; to which he answered, he had no copy of it about him; but that if he had pen, ink and paper, he could soon write a copy of it, having it in his memory.

That he then ordered pen, ink and paper to be brought, and the prisoner sat down in the room, and having written the letter, brought it to him; but had not put his name to it. That then he bid him put his name to it; which he did with a great deal of readiness, and afterwards read it with much presence of mind and calmness of temper, telling him he did believe that to be a true copy of the letter he had left at Mr. Leak's house the Friday before, and that, if it differed at all, it was but in some very few words.

This being produced in court, was read, and is as follows:

Sir,

FROM the many discontents visible throughout this kingdom, I infer, that if the Prince now reigning could be by death removed, our king being here he might be settled on his throne, without much loss of blood. For the more ready effecting of this, I propose that if any gentleman will pay for my passage into Italy, and if our friends will intrust one so young with letters of invitation to his Majesty, I will, on his arrival, smite the Usurper in his palace. In this confusion, if sufficient forces may be raised,

raised, his Majesty may appear ; if not, he may retreat or conceal himself till a fitter opportunity. Neither is it presumptuous to hope that this may succeed, if we consider how easy it is to cut the thread of human life ; how great confusion the death of a prince occasions in the most peaceful nation, and how mutinous the people are, how desirous of a change. But we will suppose the worst, that I am seized and by torture examined. Now that this may endanger none but myself, it will be necessary that the gentleman who defrays my charges to Italy, leave England before my departure ; that I be ignorant of his Majesty's abode ; that I lodge with some Whig ; that you abscond, and that this be communicated to none. But be the event as it will, I can expect nothing less than a most cruel death ; which that I may the better support, it will be requisite that from my arrival till the attempt, I every day receive the Holy Sacrament from one who shall be ignorant of the design.

JAMES SHEPPARD.

Sir John Fryer added, that he having read the letter, asked him if that was a true copy of the letter left by him for Mr. Leak ; to which he answered again, it was, to the best of his memory. That thereupon he sent for some officers from the Compter, and committed him there, and afterwards went with Mr. Leak, his daughter, the maid, Mr. Nichols and Mr. Langley to the Lord Sunderland's Office, where the copy of the letter which he had so written was produced and read to him, which he owned with the greatest unconcernedness imaginable.

Mr. Nichols confirmed what Sir John Fryer had deposed, as to the writing the copy of the letter, and his being examined before Sir John Fryer ; adding, that Sir John asking him his name, place of

abode, age, &c. and whether he carried the letter, of which that he had written was a copy, to Mr. Leak; he replied his name was James Sheppard; that he lived with a Coach-Painter in Devonshire-street; that he was eighteen years of age; that though the letter was subscribed for Mr. Heath, it was designed for Mr. Leak. That the prisoner being asked whom he meant by the King; he answered, the same person whom you call the Pretender. And also whom he meant by the Usurper; he replied, the same person whom you call King George; and that the prisoner all the while was as much composed in his mind as ever he had seen any person in his life: And that after Sir John had examined the prisoner, and sent him to the Compter, Sir John desired him (this deponent) to go to his master, and see what books or papers he had; which he did, and the prisoner's master said, that his other servant was not within, and he did not know what belonged to the one, and what to the other; and thereupon order was given to his master that nothing of the prisoner's should be removed till farther orders.

Mr. Langley likewise confirmed what Sir John Fryer and Mr. Nichols had deposed; adding, that upon this expression in the writings, "But we will suppose the worst, that I am by torture examined," being asked whether he had so well weighed the matter as to undergo such torture for the sake of the Pretender; he replied, he had well weighed the matter, and could undergo it. And that he afterwards was present with the prisoner at the Secretary's Office, where he was examined by Mr. De la Fay, and answered to what was asked him with a great deal of unconcern and resolution. That Mr. De la Fay bid him read over the copy of the letter he had written before Sir John Fryer, and bid him consider it well, if it were right, that no false construction might be put upon any of his words; that he did read it

to himself, and afterwards aloud, and did own it was his writing, and it was a true copy, as near as could be, of what he had written in the letter delivered to Mr. Leak's servant.

Mr. Wase, Mr. Nightingale and Mr. Randal deposed, that they being sent to the prisoner's master's house, were shewn the prisoner's trunk, where, among some papers, was found one which was produced in court and read, and did appear to have been a draught of the letter that the prisoner had delivered to Mr. Leak's maid, and differed very little in words from the copy that he had written before Sir John Fryer, saving that at the latter end there were these expressions: "How meritorious an act will it be to free these nations from an usurpation that they have lain under this nine and twenty years." And that he thought it might be requisite that while his Majesty (meaning the Pretender) should be absent from Avignon, "some person should be found resembling him, that should personate him there, lest the rumour of his departure from Avignon should awaken this inquisitive and suspicious court."

Mr. De la Fay deposed, that when the prisoner was brought to the Lord Sunderland's Office, he did there acknowledge that the copy written before Sir John Fryer, and also the paper found in his trunk, and upon his trial produced and read in court, were his own hand writing; and that being bid to read them and consider them well, that before he owned them he might be sure there was nothing in them but what he chose to own, the prisoner did so, and owned every thing in them: and that during the whole time he was there he perceived no discomposure in his countenance, that he seemed under no disturbance of mind, and answered to every thing pertinently that was asked of him.

All which was confirmed by Mr. Burroughs and Mr. Woodward ; and Mr. De la Fay said likewise that (being examined) he acknowledged to this effect. That he was the son of Thomas and Mary Sheppard, of the parish of St. Mary Overy's in Southwark, by trade a glover ; that his father dying when he was about five years of age, he was removed to Abbot Langly in Hertfordshire, went to school to one Mr. How, was afterwards removed thence and put to school by Dr. Hinchman his uncle by the mother's side, at Mitcham, in Surry, and afterwards sent down to Salisbury, where he went to school to Mr. Hales, continuing about three years, and was afterwards put apprentice to Mr. Scott by his uncle Dr. Hinchman : that while he was at Salisbury he had imbibed the principles he then acted upon, by conversation with his fellow-scholars, who in the time of the rebellion in the North, wished that the Pretender might have success: and that he was confirmed in his opinion by reading some pamphlets he saw lying on some bookfellers stalls there, and particularly by one intituled, " A Vindication of the Bishop of Exeter ;" and especially from the improvement of the words of St. Paul, " That persons ought to be obedient to the powers that were set over them, although they were tyrannical." He owned that he did carry a letter and deliver it to Mr. Leak's maid, of which the copy he wrote before Sir John Fryer and produced in court was a true copy as near as could be ; and that the papers found in his trunk were of his own hand-writing. That he never had any acquaintance with Mr. Leak, nor knowledge of him any other way than that he was a Nonjuror ; that tho' he had subscribed it for the Reverend Mr. Heath, it was only by mistaking his name, and that he did intend it for him. That he had three years ago resolved upon the design to assassinate the King,

and

and did determine to put it in execution when opportunity offered.

This he owned and signed with his own hand, it having been read distinctly to him, and read over by himself; confessing it was all true, except the word king (meaning King George) to which he objected, saying, he had never owned nor called him King in his life.

This examination was produced and read in court, signed by the prisoner, and attested by several persons. There was also another examination taken at the Lord Sunderland's Office by Mr. De la Fay at another time; wherein the prisoner confessed as before, and insisted upon justifying the design: which he also signed with his own hand, and it was produced and read in court, and attested by several witnesses.

These depositions having been given by the evidence for the King, the prisoner was called upon by the court to make his defence; upon which he answered, that he acknowledged the truth of what had been deposed against him; saying, that he meant it, that he intended it, and did not think there was any harm in it, or any guilt in the fact, if committed.

The prisoner declining to make any farther defence, was called upon by the court to know if he would call any evidences. To which he answered, No. The judge then proceeded to give the charge to the jury, observing to them the heinousness of the crime of murder, and especially by assassinating; a crime rarely known in England, though indeed common in that country from whence such persons would fetch the person they call their King; a crime heinous in its own nature, but aggravated to the highest degree, being against the life of so excellent a prince as King George, under whom we enjoy our religion, liberties, &c.

When

When the Court were beginning to sum up the evidence, one of the jurymen stood up and begged the favour of the court that it might be explained and made out to him, by which of his actions, and how many there were, that made him guilty of an Overt Act; and was answered, that an Overt Act of treason meant when there was something more done than words barely spoken; and though words spoken would not amount to high treason; yet those words committed to writing by the person with a traitorous intent, was an Overt Act, and were high treason. That this was the opinion of persons learned in the law, as Judge Hales, Coke, &c. And that the prisoner had, by as full and methodical evidence as could be given, been proved guilty of high treason; that his writing those letters were Overt Acts; that his carrying the letter to Mr. Leak was an Overt Act, and especially, 1st, In that the import and design of that letter was to excite and stir up persons to bring in the Pretender. 2dly, That he himself did undertake to kill the King. 3dly, That he did endeavour the procuring of forces to be ready at the giving of the fatal blow; which were evident proofs of High Treason.

With which answer the gentlemen of the jury being satisfied, the court having summed up the evidence, the Jury went out, and after a very short stay, found the prisoner guilty of high treason. And he being asked, as is usual before the receiving of sentence, what he had to say why judgment should not pass upon him according to law; replied, "He could not hope for mercy from a prince he would not own."

Then the Recorder proceeded to give sentence to the effect following:

"James

“ James Sheppard, you are convicted according
 “ to law of the greatest of offences against hu-
 “ man authority, high treason, in compassing and
 “ imagining the death of the King. Your intent
 “ was to kill, to murder, and basely assassinate his Ma-
 “ jesty King George, in order to place a Popish Pre-
 “ tender on his throne. It is very surprizing that
 “ one so young in years should attempt so wicked
 “ an enterprize: and it is more amazing that you
 “ should still thus defend and justify it, and not only
 “ think that there is no harm in it, but that the action
 “ if committed would have been meritorious.

“ It was reasonable to think that you had received
 “ those impressions which incited you to this under-
 “ taking, from some of those false and malicious li-
 “ bels which have been industriously dispersed to de-
 “ lude unwary readers, and to alienate the minds
 “ of his Majesty’s subjects; and it appears to be
 “ so from your own confession, that you had im-
 “ bibed your principles from sermons and pamph-
 “ lets, which make you think King George an Usur-
 “ per, and the Pretender your lawful King.

“ Consider, unhappy young man, whether you may
 “ not be in an error; and what I now suggest to
 “ you is not to reproach you, or to aggravate your
 “ crime, but proceeds from compassion, and with
 “ a regard to your further consideration before you
 “ go out of the world; that you may be convinced
 “ of your error, and retract it.

“ The notions you entertain are contrary to the
 “ sense of the nation; who found by experience
 “ that their religion, their laws and liberties were
 “ in imminent danger from a Popish Prince, and
 “ therefore they rescued themselves from that danger,
 “ and excluded Papists for the future from the crown;
 “ and settled it on his Majesty and his heirs, being
 “ Protestants; which has been confirmed by many
 “ Parlia-

“ Parliaments, and the nation feels the good effects
 “ of so happy an establishment.

“ It seems strange, that you should hint at a pas-
 “ sage in St. Paul for your justification. If he ex-
 “ horted the Christians to submit to the Roman Em-
 “ perors, even though they should be tyrants, how
 “ comes it that you a private youth, should not
 “ only judge of the title of Kings in opposition to
 “ the sense of so many parliaments; but that you
 “ should think yourself authorized to murder a prince
 “ in peaceable possession of the throne, and by
 “ whom his subjects are protected in the enjoyment
 “ of all their rights and privileges, and of every thing
 “ that is dear and valuable to mankind.

“ You mention in your papers as if you must expect
 “ the most cruel tortures. No, unfortunate youth,
 “ the King you will not own, uses no cruel tor-
 “ tures to his subjects. He is King according to the
 “ laws of the land, and by them he governs. And
 “ as you have transgressed those laws in the highest de-
 “ gree, the public justice requires that you should
 “ submit to the sentence ordained for such an of-
 “ fender; which is,

“ That you be led from hence to the place from
 “ whence you came; from thence you are to be
 “ drawn upon a hurdle to the place of execution;
 “ and there you are to be hanged by the neck, and
 “ being alive to be cut down, your bowels to be
 “ taken out of your belly, and there burnt, you
 “ being alive: your head is to be cut off, and your
 “ body to be divided into four quarters, and your
 “ head and quarters to be disposed of as his Majesty
 “ shall think fit. And God Almighty have mercy on
 “ your soul.”

After this condemnation, Mr. Lorrain, the Ord-
 nary, gives an account of him, the substance of which
 is

is as follows; that in discoursing with him concerning the crime he stood condemned for, he told him, that by the reading of certain sermons and other books he had learned, that he, whom we call our King had no right to the crown of England, and so he was fully perswaded, that the killing of him would be a good and commendable thing; and from that time, which was about three years before, he had a mighty impulse upon his heart, that he must be the person who should do the deed; namely, assassinate King George in his own palace; and by this means make way for the right heir: and, he said, he verily believed it was a motion that came from God to his soul.

Mr. Lorrain adds, that he endeavouring to convince him of his error, and telling him as it had been of so long standing, he had time to have prayed to God for grace, that he might have such wicked COGITATIONS removed from his heart. He replied, "That he did pray; and, that by how much he prayed, by so much the more he was encouraged and confirmed in the lawfulness of his design."

Mr. Lorrain says, that discoursing with him at the hatch-door, that leads to the dungeon, or Condemned Hold, in the Lodge, being very noisy and incommodious, by reason of people crowding to hear what he said to James Sheppard, he desired him to let him have an opportunity to speak with him in private; but he would not consent to it, saying, "He durst not trust himself with him." To which Mr. Lorrain replied; why, am I such a monster, or a man so dreadful? "No," replied he, "but I am afraid of your arguments: I am not scholar good enough to answer you." To which he made reply, and also endeavoured to persuade him to consider, whether it was not a strong argument, that he was under a delusion, for that if God had commanded him to go about such a thing, he would not have met with such a disappointment in his purpose. To which he an-

fwered; " That his being thus disappointed did not
 " proceed from the illegality of the fact, but from
 " some sins (he would not tell what) he had other-
 " wise committed." That then he asked him these
 questions? " Did you never reflect upon the heinous-
 " nefs of that fact you would have committed? had
 " you no dread, no horror, upon you? did you feel
 " no remorse, no throws of conscience at the
 " thoughts of it at any time?" To which he replied,
 " No; but, on the contrary, I was very well pleased all
 " along, and very easy in my mind.

Then the Ordinary advised him to examine himself,
 whether it did not proceed from pride, and whether
 he did not mightily please himself with the thoughts
 that he should be admired and extolled by some for
 his courage, in having done that which no others
 durst attempt? to which he answered, " That it
 " was not so; but only the sense of his duty to his
 " King prompted him to it; and, that though him-
 " self had not, yet he knew another who would have
 " done it if he had lived; but he died a few days
 " since," which he expressed a great sorrow for;
 but who that person was, he said he would never
 tell. And going on to argue with him against such
 a resolution and principles as he had taken up, he
 answered him; " I am satisfied, I am in the right;"
 adding, " That he had not altered his mind in the
 " matter. nor ever would alter it; and that if it were
 " in his power, he would still kill him whom we own
 " for our King, or any friends of his." That then
 he put this question to him, " Would you have killed
 " the late Queen?" To which he replied, " I had
 " not these thoughts when she was alive: but if she
 " were so now, I would kill her." Which expression he
 repeated two or three times; but when he saw people
 about him were strangely surprized, he said, " Per-
 " haps I would not have done it, because she was a
 " a woman,

“ a woman, who governed not her self, but others did
“ it for her.”

The Ordinary adds, that one morning hearing he was in a private room, and a clergyman with him, he desired to go and see him, which he did; and seeing two men with him, one in the habit of a divine he asked him how he found this poor unhappy young man, and whether he repented; to which the clergyman answered, “ He found him in a very good
“ state.” Then turning to James Sheppard, and telling him he must give glory to God, and acknowledge his faults, and that especially for which he was under condemnation; the clergyman cried out, “ Hold there, I am his Father Confessor, and he
“ and I are of the same communion, and you are
“ not.” To which the Ordinary replied, “ Are you
“ of that communion, that holds it lawful for men
“ to murder princes in a most execrable and trea-
“ sonable manner?” To which he made no direct reply, but went on, telling him, “ I am in communi-
“ on with him, and what is fit to be said to him, he
“ shall receive from me, and none but me, who am
“ his proper confessor; and shall give you no account
“ of himself, nor any answer to any question you
“ shall ask him:” yet he did ask him, whether he thought it lawful to murder the King; and other questions, but he made him no answer at all. Then turning to the clergyman, he put these questions; “ Do you think him in a good state to entertain such
“ a wicked, traiterous imagination as that of killing
“ King George?” to which he only replied, “ I have
“ nothing to say to you.” He then asked him, again, “ Do you not think in your conscience that he ought
“ to repent of it, confess it, and beg pardon for it?” he answered, “ No;” and with that went away as fast as he could, and the prisoner after him.

He adds, that the next day he went to visit him again, where he found his Father Confessor and his

assistant with him : that he told him he was come to speak to James Sheppard, and asked him whether he had impartially considered the heinous fact he would have committed ? whether he now abhorred it, and repented of it ? but the said Confessor told him he would not give any answer to the questions he put to him, nor did he give him any ; thereupon he desired his Confessor to ask him, but he replied, “ He would not do it ; and what he had to say to him, he would not say in his presence, and that the prisoner was not obliged to satisfy him in those things he demanded of him, because he was not his proper priest.” The Ordinary then desired them to withdraw, which they did a little, out of the door, the door being open : he then put the question to James Sheppard, “ Whether he persisted in his former opinion, that it was lawful for him, and he had a commission from God to assassinate the King :” But he made him no answer, then he asked him if he should pray with him ? but he told him, he should not. He then asked him if he desired his private or public prayers, and the prayers of the church ? he answered, “ He desired their prayers only who were of his own communion.” That then he was going out of the door, and his confessor who was ready at the door came in very hastily, and treated him very rudely and impudently.

He adds, that on the Saturday before execution, he went to visit him, he having a room near the chapel, and asked him to come the next day to chapel ; but he would not, but told him, “ He was still of the same mind as he had declared before, and ever would continue in it.”

The morning before his execution he visited him again, would have repeated his instructions, but he would give no heed to him, but turned his back upon him, and did the same at the place of execution ; and when his Confessor, who assisted him, and gave him

him absolution was gone off the cart, he would not permit him to pray with him at all, after he had time allotted him at the place of execution; he was turned off, delivering a paper to the Sheriff, which contained several treasonable expressions, which the government would not permit to be published.

He was executed at Tyburn on the 17th of March, 1717-18.

An Answer to a Narrative of the Ordinary's Account, of what passed between him and James Sheppard, &c. Written by a Nonjuror.

“ Paul, Paul, why persecutest thou me ? ”

Acts ix. 4.

Reverend Sir,

THOUGH the text in the frontispiece of this short letter, consists of words spoken by our Blessed Saviour after his ascension, to the most learned of all the Apostles, in the very height of his persecutions of those that had embraced the doctrines of Christ, and had that effect upon him as to bring about his conversion; yet they are neither applicable to you as a man of letters, nor a person who has humility enough to be made a convert, since ignorance, selfwillfulness and pride, seem to have lulled asleep all the faculties of yours, and you think it beneath the dignity of your station to give ear to the voice of reason.

Much better had it been for the poor souls under sentence of death, that had been tortured before they came to the gallows with your impertinences, and with greater peace of mind had they made satisfaction for their breaches of the law, had you continued clerk to a Secretary of the Admiralty, or a Solicitor

citor at Newgate, and not been made its Ordinary; the discharge of which holy function requires a man of temper and humanity, not of wrath and railing accusations; for though you think fit to make your young condemned prisoner afraid of your arguments, and agree with him, that he is not scholar good enough to answer you, it is not only my opinion, but that of thousands besides, that on all your long penny scribble, concerning that poor unfortunate boy, you have not made use of so much as one to the purpose, and are so far to seek in the art of Ratiocination (there's in return to your Cogitation) that you know not whence the word Argument derives itself, unless it be from *arguere*, to rebuke, reprove, call names, and vomit out slander.

You do well indeed, call your account a narrative, in imitation of Oates, Bedlow, and others, that have gone before you in the art of Falsehood and Prevarication; and by your leave, your little examinant makes it appear, that you will no way fall short of your predecessor, Sam. Smith of psalm-singing memory, to get out of the criminals what you can, and to be the very *Index Expurgatorius* of the whole art and mystery of extorting confessions.

That very worthy person once upon a time, had a lad about James Sheppard's age, that was under sentence of death for being too busy with people's pockets, (under lock and key in his closet near the chappel?) "Come," said he, "speak thy mind cheerfully boy, in discharge of thy conscience, it will be the better for thee another day. Thou hast been a great sabbath-breaker, hast thou not? answer me quickly, what dost cry for? Not I truly," was his reply, "I seldom missed going to church on Sunday, in the mornings and afternoons;" (for I told you his trade before) "for some years since." How! "prythee consider, recollect yourself, all that have hitherto fallen under my hands have been guilty of
" that

“ that crime. No Sabbath-breaker? cried Sam, then
 “ thou hast most undoubtedly been a very great
 “ drunkard? hold up thy head, speak the truth
 “ and shame the devil. Nor that neither, said the
 “ boy, Good Mr. Ordinary excuse me, no one ever
 “ lived a more temperate life, I scarce ever went to
 “ an ale-house but upon a pursuit, there to take
 “ shelter. Alas, alas, were the next words of the
 “ confessor, the devil has most assuredly got posses-
 “ sion of this boy! this rogue will own himself
 “ guilty of nothing but the crime he is to die for,
 “ what shall I do to eke out my paper of the dying
 “ speeches? Sirrah, thou must needs have lost thy
 “ memory. No drunkard! it’s impossible, thou art
 “ gone to all intents and purposes, if thou denyest
 “ so apparent a fact; but I have thee now, thou hast
 “ been a great whore-master, woman, woman has
 “ brought thee to this untimely end? I see it by thy
 “ blushes, I have hit the right nail upon the head
 “ at last. I never knew what a woman was, quoth
 “ the boy, whoredom is a vice that in all my born
 “ days I never had the least appetite to;” with that,
 the Question-Starter lost all manner of patience,
 and having stormed and raved to no purpose, bid
 him begone for an impudent rascal, to make room
 for another; for he had nothing to say of him
 after he was dead, but must write him down ob-
 stinate.

Here you may expect to have me upon the trip,
 and to get me into Lob’s Pound by way of infor-
 mation; but feed not yourself with such imaginary
 views. King-killing is an act, had in the utmost de-
 testation by the Non-jurors, as may be seen by Mr.
 Leak’s discovery of the poor infatuated boy’s very
 proposal, and is only put in practice by such as are
 favourers of the religion of the French Refugees.
 Witness the clan of Regicides that murdered King
 Charles I. and the pernicious tenets, that are still
 held

held and avowedly maintained by their barbarous and blood-sucking posterity, which may with an emphasis be said to copy after the example of James Clement, John Chastel, and the Ravillacs, whom you have mentioned without giving us to understand that they were your own countrymen. *

What rests upon me is only to prove your usage of the poor boy, your impertinent visits to him, when your absence was desired, and your treatment of Mr. Orme, a gentleman of the same cloth with you, of much more learning and integrity, than you will ever be master of, while those grey hairs of yours, that should put you in mind of other matters, than calling a priest of the Church of England, Father Confessor, Jesuit, and Wolf in Sheep's Cloathing, and all the rogues in the rainbow, are put into curl every night under your night-cap, and the justice that was on young Sheppard's side, to chuse whomsoever he pleased to assist him in his last moments.

As to the first your usage of the poor boy, &c. I appeal to yourself, if under the same unhappy circumstances, if you would have been willing to have your precious moments disturbed and rendered of no use, so you by interrogatories drawn from common place-book, and put to you by a person, with whom you thought it sinful to hold any communion; would you I say, have possessed your soul in peace and perfect tranquillity, under the utmost resignation, had a clergyman of the Romish persuasion, whose articles and superstitious faith, you had solemnly abjured at your entrance into holy orders, even when you were on the verge of this mortal life, and the brink of eternity, broke in upon your preparations for another world, by telling you, that

* N. B. In the Ordinary's paper, from whence a part of our preceeding account is extracted, he compares Sheppard to these assassins.

you must suffer everlasting death, if you did not believe as he did, and acknowledge yourself a Schismatic, and a Separatist from Mother Church?

As to the second particular, it is not to be found, that Mr. Orme upon any account gave you indecent language; if he had, the town would have rung with it, as with yours to him, which you take pride in repeating. You only say, he was very rude and unmannerly, but for what reason? because he had nothing to say to you; when you put ensnaring questions to him, which if not answered agreeably to your own sentiments, might have brought even his life also into the greatest danger, since it is known by a very recent instance, that you are not very expert in keeping secrets; and you that divulge the confessions of dying criminals, that ought to be locked up, and kept in silence, according to the usage of the primitive Church, and the brightest ornaments of it in latter ages, would no more have made a scruple of ingratiating yourself with your superiors, by an information, than you have done very lately.

This puts me in mind of the latter part of your paper, wherein you say, Mr. Orme had the presumption to give the condemned young man public absolution, though he visibly died without repentance. Wherefore you must give me leave to take your method upon me once more, and ask you, whether you assert this to your certain knowledge? if not, you are guilty of a manifest untruth, and what you assert only upon belief, must appear to be a downright falsehood. For this I will affirm, and this I will abide by, that though the lad did not think it necessary to give any tokens of contrition for the rashness of a bad fact, which Mr. Orme had made him sensible of in your presence, yet he did own himself guilty of a very great crime in his intention to commit it; and that, if it shall be thought proper by the government, to consider the person here said publickly to

absolve him, that you will be at a very great loss to make out that particular, since if you heard one word that was then and there said between them at their last parting, I heard the whole conference from Tyburn to Aldersgate street.

The last article, the right of chusing whomsoever the lad pleased to assist him in his preparations for eternity. will appear to be on his side, not only from the practice of all ages and times, but even from your own concessions on that very day whereon he was executed. Did not the Marquis * deny the murder of his servant, though pressed by you to acknowledge it, as appears in your account of his behaviour, saying, " He was a man of honour, who never did " a base thing, nor injured any man, and that he " never did any such thing, never was guilty of " murder." Yet had not he a priest, though a Roman Catholic to attend him in prison, and at the place of execution, and shall a poor dying boy, and a clergyman of the Church of England, be inveighed against for joining together in prayers and sacred offices, because your impertinence was not allowed to interrupt them in their devotions ?

If the lad was guilty of intended murder, was not the Marquis of one actually done and committed ? and shall you with a forehead of brass seem inclinable to give that Christian liberty to a Papist, which you declare not fit to be tolerated in a Protestant ? fie on you, fie on you ; all your pretended zeal for King George, and the royal families service and interest, will never excuse you for this inhumanity and impartiality, and the very under turnkeys themselves, whom you are irritating their superiors against for not admitting you, whether the prisoners would or no, into the prisoner's room, are more than a

* The Marquis de Paleotti, who was hanged for the murder of his servant on the same day that Sheppard was executed.

bar's length beyond you in acts of charity. Money, money was the thing you wanted for his passport into another world. Then he might have taken what guide he pleased with him for his conductor, as well as the Marquis before him.

But I am tired and shall quit this unwelcome task by another story of your predecessor. It seems Sam had been down at the Sessions-house in the Old Bailey, and came thence into the Press-yard in Newgate, to take a cherupping cup, where he found one Captain Cheveley and another prisoner, sitting in one of the boxes. After a salute, says the old fellow, Captain, is this gentleman one of us, (meaning a prisoner) and being answered in the affirmative, went on thus: Well gentlemen, here's to your enlargement, and took a bumper; you'll come to chapel next Sunday, what subject will best please you? I think of peace, for peace is a very good thing, and a sermon upon that will go down with our audience well enough. Yes, doctor, very well, quoth the Captain, Frank and I will be your auditors. Why faith, says the Ordinary again, (and takes t'other pull,) I am against the effusion of Christian blood, I am just now come from doing an act of humanity, and saving a fellow from the gallows, by crying *Legit* my lord, when he could read no more than the cow that he stole. The rogue was poor, and I had no more than half a piece for my pains.

With that, after repeating the draught, he tumbled, and fumbled for a piece of paper from within his cassock, which with much difficulty he at last found, and opening was struck dumb with the sight of four of the white half-pence that went by the name of the Prince of Wales's at that juncture. At length, Oh! says he, that I had hanged this villain, I'll do it yet, but now I think of it I cannot: was ever such a trick put upon a man of my cloth! when he put them into my hands, he told me they were

four half-crowns. I'll instantly to the rascal, that I will. And so he went, but when he came back acquainted the company, that all the satisfaction he could get from the person was, that he might kiss his back-side; but that he would stick close to his skirts at another season, since he was certain of having him for a customer again very shortly, and then he should swing for it.

The application is left with you, as is also my assurances, that I shall ever be on such occasions as this,

Reverend Sir,

Yours, &c. PHILALETHES.

Account of the Trial and Behaviour of JOHN PRICE, alias JACK KETCH, who was hanged for Murder.

AT the sessions held at the Old Bailey, on the 24th of April, 1718, *John Price* was indicted for the murder of Elizabeth, the wife of William White, on the 13th of March preceeding; and he was indicted a second time on the Coroner's Inquest for the said murder.

It appeared in the course of the evidence, that as one Alexander Dufty was going over Bunhill Fields about 10 o'clock at night on the 13th of March, he heard a woman groaning, and a man saying to her, "D—n you for a bitch, why don't you take it
" in your hand and put it in? if you won't put it
" in I'll rip you up;" and immediately afterwards,
" D—n you, you bitch, where is your money? give
" me your money." Dufty now overtaking another man, asked him to go with him and see what was
the

the matter; which after some hesitation he complied with, and when they came to the place, they found a woman lying on the ground, and the prisoner likewise on the ground very busy about her.

The prisoner now cried out, "D—n you, what are you?" Dufty said, "a man," Price cried "D—n you what do you want?" and Dufty answered, "To know what he was doing there;" to which the prisoner replied, that there was "nothing but a drunken woman." Some persons now coming by with a candle and lanthorn, it appeared that the deceased lay in a very indecent posture, with her coats up to her belly, and that streams of blood issued from her eyes and mouth: Dufty spoke to her, but she was unable to answer, but made a noise as if she had something in her mouth, which on examination appeared to be blood; whereupon Dufty and his companion seized the prisoner, whose hands, coat and apron were bloody, and conveyed him to the watch-house.

The other man confirmed the above particulars, and the constable deposed, that the two former evidences brought the prisoner to the watch-house; that he was all over bloody, and that he would have gone away, saying he had done nothing; but the constable told him that he knew him to be a rogue and a thief, and if he did not sit down he would knock him down, or throw him in the fire.

After this the constable and some attendants went in search of the woman, but it being very dark they could not find where she lay, till the barking of a dog directed them to the body. They found the poor creature lying in a terrible condition, as above described, and observed that one of her arms was broke, and some of her teeth were knocked out, which were shewn the next day before the justice. The constable having directed the woman to be conveyed

veyed to the watch-house, sent her to a nurse, and gave orders that she should be taken care of.

The nurse deposed, that the woman was brought to her in the condition abovementioned, and that she was not able to speak from that time till her death: she said to her, "Though you can't speak you can hear; make some signs how you came by your hurt;" on which the deceased lifted up one of her hands, not being able to move the other, and pointing to her head, throat and belly, intimated that she was hurt in those parts. In this wretched condition she languished four days and then died.

A surgeon deposed, that being sent for to the deceased, he found that she had a wound above one of her eyes, that an eye was started out of her head, which he depressed and put in again; that she had another wound near her nose, that her throat was much bruised, and the scalp of her head so contused that he had scarce ever seen the like; that the upper part of her womb was much lacerated, and that her death was the undoubted consequence of these wounds.

The husband of this poor woman was a watchman, who deposed, that his wife used to sell gingerbread and cakes about the streets, and went out about ten in the morning in perfect health; that about ten at night his son went home, but his mother having the key he could not get in, but sat down at the door where he fell asleep; that waking and not finding his mother, the boy came to him at the watch-house in Cheapside to enquire after her; and that he knew nothing what became of his wife, till he heard of the murder the next day.

The prisoner denied being guilty of the fact, and in his defence said, that as he was coming from Holliwell-Lane, he saw three men crossing the fields to Checquer-Alley; that he found something lying in his

his way, and kicked at it with his foot, but finding that it was a woman, he lifted her up, but she could not stand on her legs; and while he was thus employed he was apprehended.

The jury being satisfied with the evidence for the King, paid no regard to these allegations, but found the prisoner guilty of wilful murder, in consequence of which he received sentence of death.

The account he gave of himself was as follows:
 “ That he was forty one years of age, born in Old-
 “ Soho, in the parish of St. Martin’s in the Fields, now
 “ in the parish of St. Ann’s, Westminster; that his
 “ father was a soldier in Tangier, but unfortunately
 “ blown up in the demolishing of that place, about
 “ the year 1673, and his mother being left in poor
 “ circumstances, and not being able to give him edu-
 “ cation, nor indeed himself willing to take it, he
 “ was put apprentice to a Rag-Merchant: that his
 “ master dying when he had been about two years
 “ with him, he soon went away from his mistress,
 “ who he said was very severe to him, and got into
 “ another service, which was loading waggons with
 “ rags; after that he took a fancy to go to sea, and
 “ served on board the *Old Ruffel*, Grafton, Devon-
 “ shire, and other men of war, off and on for the
 “ best part of eighteen years. And afterwards he
 “ was the *Finisher of the Law*, for about twelve
 “ months, and might have continued so to that time,
 “ if he had taken better care of his concerns, and
 “ lived within compass; but spending his money so
 “ fast, and beyond his comings in, and thereby
 “ growing in debt, he was one day arrested in Hol-
 “ born, at his return from an execution, and though
 “ it was but for 7s. 6d. which he then cleared, and
 “ also paid the charges, partly with what little money
 “ he had then about him, and partly with three
 “ suits of cloaths, the remains of those who had
 “ been

“ been executed that day ; yet having two other
 “ actions taken out against him, and no money, credit,
 “ or bail to give in, he was thrown into the Mar-
 “ shalsea, where he continued a prisoner some time,
 “ so that when the next execution was to be
 “ performed, he being out of the way, Wil-
 “ liam Marvel was put in his place of execu-
 “ tioner.

“ That he then continuing in the Marshalsea, now
 “ and then obtained the liberty of going abroad, and
 “ worked as a labouring man, serving bricklayers,
 “ masons, &c. But being afterwards deprived of
 “ that liberty, he, with another prisoner, contrived
 “ a way to escape by making a hole in the wall.”

After condemnation, this malefactor, instead of
 improving his time in the manner he ought to have
 done, took to drinking gin, and other strong liquors,
 to such a degree, as rendered him totally unfit for
 all the purposes of devotion.

He obstinately persisted in denying the fact for
 which he was condemned, till the day of execution,
 when he acknowledged that he was guilty of it, say-
 ing that he did it when he was in liquor. At the
 place of execution he desired the spectators to take
 warning by his untimely fate, and begged the mercy
 of God in his last moments.

He was executed in Bunhill-fields, on the 31st
 of May 1718, and afterwards hung in chains near
 Holloway.

The Trial, Defence, and Case of Mr. EDWARD BIRD, who was convicted of Murder.

AT the sessions held at the Old Bailey on the 10th of January 1719, Edward Bird, of St. James's, Gentleman, was indicted for the murder of Samuel Loxton, by giving him one mortal wound with a sword, on the right side of his body, between the first and second ribs, of the breadth of half an inch, and the depth of twelve inches, of which wound he immediately died. There was likewise a second indictment on the Coroner's Inquest, and a third on the statute of stabbing.

The first evidence was Thomas Baberton, alias Vernaffel, who deposed, that on the 25th of the preceeding September, the prisoner came to the house of Mr. Seedwell, the Bagnio in Silver-street, in a coach with a woman, and brought with him a bottle of champaign wine; that Samuel Loxton, the deceased, waited upon them; that they went to bed and lay till about two o'clock, and then knocking, the deceased went up, and when he came down again, said the prisoner demanded a bath, but that he being then employed in cupping a gentleman, told him that he had almost done, and then he should have one got ready as soon as possible: that the deceased likewise said that Mr. Bird had cursed and damned him, saying he would have one that very moment, and had also threatened and attempted to kill him.

He farther deposed, that the prisoner still continuing to knock, he begged leave of the gentleman he was cupping to go up to him, as the deceased was afraid to go up again; accordingly he went

up, told Mr. Bird he had set the cock running, and the bath would be ready in the eighth part of an hour; but Bird said, "G—d d—n you, firrah, I will have it this moment," and getting out of bed, made eight or ten passes at him, which he avoided by holding the door in his hand, and then by pulling it close; that hearing the sword drop on the floor, he opened the door again, when the prisoner ran after him, threw him down stairs, and broke three or four of his ribs; that his mistress hearing this, enquired what was the matter, and calling her maid, sent her up to the prisoner to ask him why he would kill her servants; to which the prisoner replied, "G—d d—n you for a bitch, if I could come at you I would stick you first." That then his master getting up, went, with his wife, this deponent, and the deceased, to the prisoner; that Mr. Seedwell went in first, the deceased next, and himself followed, while Mrs. Seedwell stood at the door; that Mr. Seedwell stood at the bed-side, and the deceased at the foot of the bed; that none of them had any weapon, sword, stick, cane, or any thing except a candle and candlestick; that then Mr. Seedwell expostulated with him thus: "For God's sake, Sir, what is the matter? what have my servants done? if they have offended you I will punish them before your face; you shall have any accommodation in my house; but if you cannot be easy here, I will provide you either coach or chair, to go where you please, and ask nothing for what you have had; but I beg of you not to make a disturbance; I have several persons of consideration in my house; you will do me a prejudice."

The prisoner being still very outrageous, started up in the bed, and taking a sword, which lay naked on the left side, the woman lying on the right, and raising himself up, griped his sword, and made two stabs at the deceased, at the second of which he staggered

staggered a little, and fell backwards against him, never speaking one word, but died immediately, and was found with a pinch of snuff betwixt the thumb and finger of his right hand as he lay dead on the floor.

Mr. Seedwell confirmed his evidence as to the manner of the fact; adding, that when he expostulated with him why he would kill his servants, he replied, "G—d d—n you, I will kill you all," and that they had considerable struggling with him before they could disarm him, as he endeavoured to kill all of them; but that the woman lay still, and neither said or did any thing.

Mrs. Seedwell confirmed the chief of what had been before deposed; adding, that when she sent up the maid, she bid her give her's and her master's service to him, and tell him they would both wait upon him immediately; and that when the maid came down, she said "Madam, the gentleman says "he will murder my master."

She added, that when the prisoner had killed the deceased, they endeavoured to take his sword, and he having it under his arm, made a thrust to wound any that should happen to be behind.

The surgeon deposed, that he being sent for, found the deceased quite dead, and searching, found two wounds, one slanting five or six inches, which did not penetrate; the other betwixt the first and second ribs, that penetrated the body and lungs four fingers deep, which, he verily believed, was the cause of his death.

A farrier at Putney deposed, that about two years before, the prisoner brought his horse to him, and required him to pare down his hoofs after an unusual manner; which he refusing, the prisoner drew his sword, and run him quite through the body.

The prisoner, in his defence, pleaded, that being to go out of town the next day, he lay at the Bagnio to prevent the trouble that getting up early in the morning might occasion to the family; that about two o'clock he desired a bath; that the waiter coming to him, told him he should have one; and at other times told him he should have none, went away, and locked him in; and in about a quarter of an hour, they all came up and said he should have no bath, but he turned out into the street that moment; that he refusing to go, they all surrounded the bed, laid hands on him, tore his shirt, and the deceased gave him several blows, which bruised him very much on the side, arm, and on his knuckles; that he thereupon thinking mischief was designed him, drew his sword to defend himself; and the deceased repeating his blows, and unfortunately falling, or stooping towards the bed, this unhappy accident happened to a man that he never had any difference with before.

He then called the following witnesses.

Susannah Webster deposed, that she being at the place aforesaid, the prisoner about two o'clock in the morning, knocked, and would have a bath, but the waiter made answer, that there was a great gentleman in the bath, and he could not have one till five in the morning, and then he would call him; that he saying he would have one presently, the waiter replied, "G—d—n him for a rascal, he neither
" could, nor should have any;" to which the prisoner replied, that gentlemen were not to be so abused; that upon this he arose, and pushed the waiter out of doors; that the man at the beds-feet struck the prisoner, and she heard an out-cry of murder, and was afraid they should both be murdered; that she saw the prisoner rise up in his bed, and two men holding him; that when the deceased lay dead on the floor, he had a dark coloured cane hanging at his wrist
by

by a black string, but she knew of no sword in the bed, nor saw any wound given.

Elizabeth Rofs deposed, that she lay that night at the Bagnio, and hearing the disturbance, went to the prisoner's room, and saw the deceased lying on the floor, a cane lying by him, and a faggot-stick upon the stairs, hard by the door of the room; which last circumstance, as to the faggot-stick, was also confirmed by another evidence.

Thomas Walker, who succeeded the deceased, as waiter at the Bagnio, deposed, that a gentleman came to the Bagnio, and enquired into the circumstances of the fact, and being shewed the room in which it was done, examined the door and wainscot, and could not perceive any marks of the eight or ten passes made against it by the prisoner, as had been deposed by Thomas Baberton; and that he discoursing with Baberton about breaking his ribs, seeing him stript, saw no mark or appearance of any such thing; and, that Baberton, when he asked him why he did not apply something to them, said, they were not broke, but bruised. And, as to the deceased, besides an ill character, he said, that he used to be abusive to gentlemen, and had been wounded not long before, which the prosecutors could not deny.

The prisoner called several witnesses to prove that his shirt was very much tore; which was confirmed by the constable and watchmen who apprehended him, and was also produced in court.

He also called the constable, watchmen, and several other witnesses, who deposed, that they saw a bruise on his arm, and also a hurt on his knuckles, and that they were bloody.

He likewise called several people of credit and worth to his reputation and peaceable demeanour, who gave him a very good character.

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He also observed that little credit was to be given to the evidence of Baberton, otherwise Vernassel, who had swore that three or four of his ribs were broken, when it was sworn by another evidence, that he himself owned that his ribs were not broke, but only that he was bruised; and he owned in court that he had never made use of any surgeon, &c. on that account.

Upon hearing the whole matter, the Jury found him guilty of all the indictments.

Before he received sentence, being asked what he had to say why judgment should not be passed upon him according to law, he addressed the court in the following terms:

I Submit myself to your lordship and this honourable bench; and I beg only your honourable favour and regard, that as the witnesses for me swore positively to my being assaulted, and that the jury (to my great misfortune) were not pleased to give credit to the same, your lordship will make the most favourable interpretation of it.

But above all, I desire your lordship's notice, that there were many manifest contradictions in Vernassel's evidence, and I may say, impossibilities in other of their witnesses; besides his denying on my trial, that he double locked the door, which he swore he did before the coroner, makes me, with reason, believe my life has been maliciously sought; for I call God to witness, I did not offer the least violence to the deceased, till after I was struck and ill-used by him.

I submit myself to your lordship, and hope you will make such favourable report to his Majesty, as may not obstruct, but leave room to apply to his wisdom for mercy.

The Ordinary's Account of Him.

THIS Mr. Bird, aged about twenty seven years, said to be born of wealthy parents at Old Windsor, was well brought up by them, who gave him a christian and gentleman-like education. They put him early to the care and instruction of the late Reverend Dr. Busby, Master of Westminster-School; and thence, when pretty well advanced in his learning, removed him to Eaton-College. After some stay there, they finding his inclination was to see the world abroad, fitted him out for his travels; and then he made a tour in France, and went also into Italy, &c.

When he had spent some time abroad in foreign countries, he returned into England, and not long after had a lieutenant's commission in the regiment of horse commanded by the Marquis of Winchester. Before this, he had in a great measure, given himself up to a vicious course of life; and his evil inclinations growing stronger in him, he at last abandoned himself to all manner of lewdness and debauchery; the consideration whereof I put close to him, endeavouring to bring him to a due sense and true repentance of his past follies. And here I put him in mind likewise of his ill usage of a virtuous gentlewoman he formerly married, defiling the marriage-bed, &c.

While I was laying these things, and many more of a heinous nature, before him, and telling him, that the world abroad rung of them, he denied them not; but said he was not guilty of murder, the crime he stood condemned for; and that as to other sins, he had begged pardon of God for them, and did not doubt of his mercy. Many private admonitions and directions I gave him, and offered to pray by him in his chamber, which I did when he gave
me

me leave; but very often he desired me to spare that part of my service, because he was very busy, was to write letters, expected company, and such like frivolous excuses.

All the time he was under confinement in Newgate, I could not persuade him to come to prayers, and hear the word of God in the chapel, which he might have had an opportunity to do twice every day for the most part of that time; which was between the 26th of September 1718, and the day of execution. And the reason of his so long confinement before he was brought to his trial, is this:

When he should have been tried at the sessions held at the Old Bailey in October 1718, he pleaded he was not ready for his defence, and so his trial was put off to the next sessions, to be held in the month of December then following: but before that time came, he falling sick, and the physicians, who visited him, making affidavit that he was not in a fit condition to be removed out of his chamber, the court did again defer his trial to the sessions beginning on Thursday the 15th, and ending on Monday the 19th of January, 1719-20.

After this I repeated my visits to him, and desired to have been more frequent than before in them; but I found him always so busy, sometimes in writing, and at other times with company, that I could hardly have any opportunity to speak to him of his future state. Nevertheless, I endeavoured to prepare him for his great change, and for a better life, &c. To this he seemed to give a little attention, but something coming into his mind which he said he must do presently, he desired me to leave him, saying he would send for me another time, when he was at leisure. Accordingly he did, but when I came to him, I found he had not sent for me to pray by him, or discourse him about divine matters, but only to shew me the draught of a paper which he said he had

had prepared by the help of a friend, and which he intended to publish. Upon this, after I had read it, I told him plainly, that the drift of that paper being to insinuate he had not justice done him at his trial, he must not think that the world would believe him to be (as he endeavoured to appear) innocent of the murder he was condemned for.

Having freely declared my mind to him in this matter, and that according to my judgment (who was at his trial, from the beginning to the end) I thought him justly convicted of that murder; and that I would advise him to reflect upon none but himself, telling him, he would certainly (if he did impartially consider the thing) acknowledge his guilt, and repent of it; he then seemed to be uneasy; but I told him, that though I was very unwilling to offer any thing to a gentleman that might grate upon his spirit, or be unacceptable to him; yet it was my duty to make his sins as odious to him as I could, in order to bring him to a just abhorrence and detestation of them; adding, that if he would please to consider the vicious steps that had led him to this barbarous crime, he would find abundance of sins, besides this, to repent of; which he must do before he died, or else be eternally undone. To this he said but little, and I left him for that time.

When I came to him afterwards, if it was in the morning, he desired me to come in the afternoon; and if in the afternoon, to come the next morning: thus he industriously endeavoured to trifle away his time, and set aside all thoughts of his approaching dissolution.

On Saturday I exhorted him to come the next day to the chapel, and apply himself entirely to holy meditation, prayer, and hearing the word of God with due attention and sincere devotion; but I could not persuade him to come, nor indeed at this time to let me pray by him; alledging, his head was so

full of other matters, that he could not mind any thing else.

On Sunday I visited him in his chamber, and did the like the next morning; when understanding that he had the night before took a dose of poison, and after that stabbed himself in several places, I told him, I was sorry to hear he had added sin to sin, by attempting to commit a fresh murder, and that too upon himself: to which he replied, "That he did not think it was a sin, because he was to die." Whereupon I endeavoured to make him sensible he had no power over his own life; and that by this he put himself in danger of carrying his guilt unrepented of into another world.

As there was all along great endeavours used to save his life, I observed to him, that neither the solicitations of his friends, nor his own attempts upon himself, were able to prevent God's just judgments against murder, &c.

At the place of execution, whither he was carried in a mourning coach, I attended him for the last time; and when he was removed out of that coach, (wherein he had staid about an hour with his mother after his arrival there) I prayed with him in the cart, gave him some exhortations, sung a penitential psalm, made him rehearse the Apostle's creed, and then wishing him that life he had made profession to believe, I retired from him.

One of the three clergymen that went with me to see the execution, stepped into the cart when I left him, but could work no good on him; who, instead of applying himself to his devotion, and desiring the spectators to pray for him, and take warning by him, turned himself first one way, then another, and called for a glass of wine; but being told it could not be got there for him, he desired a pinch of snuff; and taking it, he bowed to the gentlemen near the cart, and said, Gentlemen, I wish you health. After this
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he was tied up, turned off, and bled very much at the mouth or nose, or both.

He was executed at Tyburn, on Monday, Feb. 23, 1718-19.

Mr. Bird's Case.

THE nature and circumstances of this prosecution will appear from the malice and character of my prosecutors; so as clearly to shew the world the necessity of defending my life in danger, when attacked in the night by a desperate assailant, and a madman, as his actions and all men accounted him.

And I humbly beg your favourable attention to my case; which the more it is enquired into, the more the world will be convinced of the hardship Mr. Bird lies under. For it appears, the foreman of the jury was landlord and intimate friend of the master of the Bagnio, which I was not acquainted with at my trial.

And he flatters himself, it will be judged very improbable, that three persons should force themselves into his chamber, in a violent manner, the door being double-locked, and bring no sticks, or other weapons with them, either to assault others or defend themselves; especially since Thomas Vernassel swears, that when he was in the room, the said Mr. Bird was angry with him, and threw him down stairs, so that he broke three or four of his ribs with the fall.

Vernassel's evidence being notoriously false, it is presumed can be no weight. He swears, that his ribs were broke by the fall down stairs; yet deposeth, that he returned with his master and the deceased into his chamber, and attended the same day, for some hours, before the justice of peace; and every

day since has done all the business he used to do, without one day's intermission; which are very strong proofs that his evidence was false in that part, and he humbly conceives must invalidate his whole evidence.

Besides, Mr. Walker swore he had owned to him (who was a waiter in the Bagnio) that he had none of his ribs broke; and that seeing him naked he had no bruises. *Sworn in Court.*

In his evidence before the Coroner, Vernassiel swore, that he double-locked the door.

Upon the trial he denied the door was locked at all.

Another, swore, that the deceased had a pinch of snuff betwixt the thumb and finger of his right hand, an hour after he lay dead.

It seems scarce credible, that he should be taking snuff when he went into Mr. Bird's chamber; but if he had, physicians and surgeons all agree, that his fingers could not keep in that position, but of course must have relaxed, as those and all other parts do in a dying person.

Ann Smith, another witness examined against him, appears since, not to have been in the house till near an hour after the accident happened. *See Ann Town's affidavit.*

As to the evidence given by the farrier, on which much has been relied in order to arraign and blacken Mr. Bird's character; it is to be hoped the same appears to be entirely malicious; it being of a fact by him said to be committed two years before the trial: and besides, Mr. Bird not suspecting any such evidence to be offered against him, was not prepared to defend himself against it; which otherwise he could have done, and proved it false and malicious in all respects; moreover, Mr. Bird gave his wife half a guinea; she bringing the said Mr. Bird, the next day, a basket of grapes, and excusing and asking

ing pardon for her husband's insult to him, and said he was drunk.

No notice was taken of the ill character of the waiter, nor of the deceased, who had many times, by his unmannerly behaviour, provoked several gentlemen to beat him, in order to get smart-money out of them, and had many wounds upon his body which he got by quarrels with gentlemen, none of whom, or any of Mr. Bird's most material witnesses, and even they in court, were called, particularly Mr. Charles Brome, and Mary his wife, and Mr. John Johnson: *whose affidavits are hereunto affixed.*

As to their assaulting Mr. Bird, there is Mrs. Webster, the only unconcerned person in the room, (though they threatened that they would commit her to Newgate with Mr. Bird, and that she should certainly be hanged) swore, that he was assaulted by three men in his bed, and struck several blows with a cane (for Mr. Bird calls God to witness, that he did not offer the least violence to the deceased, till after he was abused and struck by him.) She further deposed, that they forced into the room, the door being double-locked, surrounded the bed, and began beating, tearing, and abusing Mr. Bird, before he had his sword drawn, he never stirring off the bed, as confessed by his prosecutors.

Another person deposed, that being in the house, he saw the deceased, and a cane then lying near him as he lay dead.

Many gentlemen of worth and reputation appeared in Mr. Bird's behalf; and particularly Mr. Cole, the late Resident at Venice, and his lady, deposed, they saw Mr. Bird was bruised very much on his arm and knuckles. The constable and watchmen swore, at the time they apprehended him, they saw the same bruises, and his shirt very much torn; a surgeon, who dressed the bruises, swore the same; as also,

also, that Mr. Bird had other bruises on his body, which he dressed.

As to the money offered; I declare that to be as base an assertion as their manifest perjuries, and the character of their infamous house can publish, &c. See Mr. Johnson's affidavit.

For a further character of the deceased, here follows the affidavit of his first and lawful wife, the minister's wife, and some other witnesses of that first marriage.

In Banco Regis.

SUSannah Loxton, the widow of Samuel Loxton, deceased, who was the late servant at the Bagnio in Silver-street, maketh oath, that in July, one thousand seven hundred and thirteen, and as near as this deponent remembers, on the twenty-ninth day of the said month, this deponent was legally married to the said Samuel Loxton, according to the rights and ceremonies of the Church of England, in College-court Westminster, by Mr. Shaw, a clergyman, at his house there, in the presence of John Cornish, and Ann Maria Dorton; and this deponent hath had two children by the said Samuel Loxton, one whereof is now living; and further saith, that since this deponent's marriage with the said Samuel Loxton, he the said Samuel Loxton married one Diana Seedwell, the daughter of the master of the said Bagnio, which as soon as this deponent discovered, she caused the said Samuel Loxton to be apprehended and carried before Justice Saintlo, who on full examination of the matter, committed the said Samuel Loxton to Newgate, for marrying two wives; where he lay till he was acquitted by the late act of grace, or general pardon. And this deponent farther saith, that the said Samuel Loxton, this deponent's

ponent's late husband, was the said Samuel Loxton, that was killed at the Bagnio in Silver-street, by Lieutenant Bird.

SUSANNAH LOXTON.

*Jur. in Cur. 11 die Februarii,
Anno quinto Georgii Regis.*

MARY, the wife of James Shaw, clergyman, maketh oath as follows; that the deponent was by and present, when Samuel Loxton, late servant at the Bagnio in Silver street, was married to Diana Seedwell, by this deponent's husband, at his house in College-Court, Westminster, which was, as near as this deponent can remember, about the beginning of September 1714, and not before; and this deponent can the better depose, for that the said Diana at that very time had a pair of green laced shoes on, which she put off before she was married, saying, green was an unlucky colour, and she would not be married in green shoes. And this deponent further saith, that as soon as the ceremony was over, one Mrs. Dorton, a neighbour of this deponent's husband, came to this deponent's husband's door, and met this deponent in the entry, and told her, that she hoped this deponent's husband had not married the said Samuel Loxton to the said Diana Seedwell, for that this deponent's husband had above a year before married the said Loxton to one Susannah Cowper, and that his said wife Susannah was then living; whereupon this deponent, in a very great surprize, acquainted her husband with what he had done, and asked him how he could marry the said Loxton to the said Diana Seedwell, when his former wife was living? and this deponent, upon search of this deponent's husband's book, wherein he entered his marriages, found the said Loxton's marriage with his first wife Susannah entered, and shewed it

it this deponent's husband, upon which he seemed much concerned, and said, he did not remember that he had before married the said Loxton, and seemed very sorry for what he had done.

MARY SHOW.

*Jur. in Cur. 11 die Februar.
coram J. Ayres.*

In Banco Regis.

JOH N Cornish, of Parker's-Lane, Holborn, Maltster, and Anna Maria Dorton, Widow, living in the Hay-Market, jointly and severally make oath, that in July 1713, and as near, as these deponents remember, the 29th day of that month, Samuel Loxton, late servant at the Bagnio in Silver-street, deceased, was married to his new wife Sufannah Loxton, (whose name before marriage was Sufannah Cowper) by one Mr. Shaw, a clergyman of the Church of England, at his house in College-Court, Westminster, in the presence of these deponents. And these deponents can the better depose, for that this deponent, John Cornish, gave the said Sunannah Loxton away to the said Samuel Loxton, as her father.

John Cornish.

Anna Maria Dorton.

*Jur. in Cur. 11 die Februar, Anno
quint. Georgii Regis.*

In Banco Regis.

ANN Harrison, of the parish of St. James's, Widow, maketh oath, that she very well knoweth Sufannah Loxton, the widow of Samuel Loxton, late servant at the Bagnio in Silver-street, deceased, and this deponent lodged in the same house with her,

her, at Mrs. Dorton's, when she the said Susannah Loxton laid in of her first child, and that whilst she laid in of her first child, the said Samuel Loxton came frequently to see her. And this deponent further saith, that when he was with her, he owned her as his wife, and the child as his own child, and called her his wife over and over again in this deponent's hearing, and in the hearing of a great many other persons.

Ann Harrison.

*Jur. in Cur. 11 die Febr. Anno
quinto Georgii Regis.*

In Banco Regis.

MA R Y de Costa, the wife of John Costa, maketh oath, that Samuel Loxton, late servant at the Bagnio in Silver-street, deceased, in May 1714, sent for this deponent, and told her he had a child by Susannah Loxton his wife, to put to nurse, and agreed with this deponent for two shillings and sixpence a week to nurse the said child; and accordingly this deponent nursed the said child fourteen weeks, for which this deponent was paid by the said Samuel Loxton; and afterwards the said Loxton took away his said child from this deponent, and dropped the same in the street, for which he was taken up by the officers of St. Bride's Parish, London, and thereupon the said Samuel Loxton, during the time this deponent nursed his child, owned and confessed to this deponent, that he was lawfully married to the said Susannah Loxton, and that she was his wife, but declared he had made a resolution never to cohabit with her.

Mary de Costa.

*Jur. in Cur. 11. Feb. An.
quinto Georg. Reg.*

A Copy of the Commitment of Samuel Loxton, for living in Adultery with Diana Seedwell, his first and lawful Wife Sufannah Loxton, being then living: For which he was committed to Newgate, and came out by his Majesty's Act of Grace.

To the Keeper of Newgate.

Middlesex.

RECEIVE into your custody the body of Samuel Loxton, charged before me, by his own confession, for feloniously marrying of Diana Seedwell, his first wife Sufannah Cowper being still alive: keep him till discharged by due course of law. Given under my hand and seal the 13th day of July, 1717.

L. Saintlo.

Vera Copia examen per Bodenhams Rouse, Turnkey.

ANN Town, servant to Mr. Seedwell, at the Bagnio in Silver-street, deposeth, that on the 25th day of September last, she, this deponent, was ordered to wait upon Lieutenant Bird, with a gentlewoman in his company, who behaved himself like a very quiet civil gentleman, who after being in bed to repose himself sometime, Mr. Vernassel said the said Lieutenant desired a bath, which she this deponent understood was denied him; and that Vernassel was pushed out of the room, and fell down stairs, but that Vernassel returned back, and double locked the said Lieutenant's door on the outside, as Vernassel told her. This deponent further saith, that there was no person in any bath at that time. And this deponent further saith, that some time after she lighted Mrs. Seedwell, Vernassel and Loxton the deceased up stairs, Loxton having a cane in his hand, and

and Vernassel a faggot-stick, but the candle falling, she returned down stairs to light it. This deponent further saith, that Ann Smith, (a witness against the said Lieutenant) was not in the house till she was called by this deponent, which was after Loxton (the deceased) was dead, being then about four o'clock in the morning.

And this deponent further saith, that she this deponent, together with another woman, wife to William Backer, were the only persons in the said Lieutenant's room, to examine and search Mrs. Webster, (the gentlewoman who came with the Lieutenant) whether she had any penknife or other weapon, whereby to do any mischief; the said Mrs. Webster then telling this deponent, that the said Lieutenant was very much abused. And this deponent further saith, that she this deponent having afterwards some discourse with the aforesaid Vernassel about the cane and faggot-stick before-mentioned, he, the said Vernassel, told this deponent, that she must not speak any thing about the said cane and faggot-stick, lest the same should prove a means to save the said Lieutenant Bird's life.

And this deponent further saith, that she this deponent was prevailed with by a stranger, under fair pretence, to go to drink some liquor, whereby she this deponent became intoxicated, and thereby hindered from appearing at the trial of the said Lieutenant Bird, to give testimony hereof, which she this deponent designed otherwise to have done.

POWIS.

CHARLES Broome, late of Spring Gardens, in the parish of St. Martin in the Fields, upon oath declares, that about this time twelvemonth, Samuel Loxton, deceased, came into his house in Spring Garden about the hours of nine or ten, in a white linen waistcoat, drawers and night-cap,

and called for a quartern of brandy, and drank to some company in the shop, and immediately after forced himself into the company of some gentlemen belonging to the guards, and a dispute arising about the state prisoners, he vindicating their cause, and justifying their hard usage, the gentlemen forbid him their company, but he refused to go, and was for fighting with any of them, shewing the wounds he had received from some gentleman, swore he had thirty guineas damage, and swore he would have a hundred more before he had done with him. And I finding him bent for quarrelling, I persuaded the gentlemen to quit my shop, lest any mischief should ensue, which they did; and the company being gone, I persuaded him to go home, and demanded my reckoning, which he told me he could not pay, swearing he had not above three-pence in his pocket, and would not pay.

Charles Brome.

Jur. coram me, 7 Feb. 1718.

Paul Margaret.

MARY Brome, wife of Charles Brome, of the parish of St. Andrew, Holborn, in the county of Middlesex, Gent. maketh oath, that one Samuel Loxton came into this deponent's husband's house in Spring Garden, about twelve-months since, in a white linen waistcoat and drawers, and by his dress and appearance shewed himself in every respect to be mad, and that he intended mischief, by his quarrelsome behaviour, with all the people in the house, and opening his cloaths shewed several wounds, and said he had received thirty guineas for one of the said wounds, and swore that his father-in-law would sue the gentleman for a hundred guineas more, and that he did not value his wounds which he had, for he got money by it; and swore he cared not for them, for he

he believed he should die by the sword, and went away, and refused to pay his reckoning.

Mary Brome.

*Jur. 7 die Feb. 1718. coram me
Littleton Powis.*

JOHN Johnson, of the parish of St. James's within the liberty of Westminster, Gent, maketh oath, that he is a neighbour to Mr. Seedwell, who keeps a Bagnio in Silver-street by Golden-Square; and hearing that one Loxton was killed there, he this deponent went to the Rummer Tavern the next day after the said Loxton was dead, to enquire how that matter happened; and did find there one Vernassel, a waiter to the said bagnio, who told this deponent, that Capt. Bird had the night before thrown him down stairs and broke four of his ribs; upon which this deponent asked Vernassel who was his surgeon? he the said Vernassel replied, he had no surgeon, but was a surgeon himself, and had set his own ribs, which this deponent believes to be impossible, and that the said Vernassel only said so to aggravate matters against the said Capt. Bird. And this deponent further saith, that he knew the deceased Loxton, who was a drunken troublesome man, and frequently abused the present government, and was, some time before his decease, like to have been killed by a gentleman in the said Bagnio (as it is in the neighbourhood generally reported) for his insolent behaviour: that the said Loxton has owned to this deponent, that he had two wives living at the same time; and Mr. Seedwell, who kept the said Bagnio, would permit any man with a woman to lodge there, without asking any questions who they were. And lastly, this deponent further saith, that Mr. Boswel, who was foreman of the jury upon the trial of the said

said Captain Bird, was landlord to Mr. Seedwell. And that he this deponent is a perfect stranger to the said Captain.

John Johnson.

Jur. 7 die Feb. 1718.

coram R. Eyre.

The following Paper was delivered by Mr. Bird to his Friends, the day before his Execution.

IT will be expected that I should say something at this time, as to the fact I am going to suffer for.

I do not pretend to say, I did not kill the deceased; but humbly conceive, that both the laws of God and man will justify self-defence; which I call God to witness, into whose arms of mercy I am now going to throw myself, was my case.

Unhappy is that gentleman who falls into such hands; for there was not one evidence for the King that was not manifestly perjured, as I have faithfully set forth in my printed case, with all the justice a person expecting nothing less than death was capable of. And it is also as evident, that the proper evidences on my side were never called: I wish I could persuade myself that mismanagement did not proceed from the infidelity of my attorney, employed in my trial: for it appears but too evident, that he never made one regular step towards my interest; and, I wish I could aver, that he did not arm my enemies against me.

After all this, his Majesty, in his great wisdom, thought fit to grant me a reprieve, and ordered me for transportation; but the restless malice of my enemies would not fix here.

The pretended widow of the deceased lodges an appeal against me. How she had a right so to do, I leave

I leave those gentlemen learned in the law to determine: yet this, with her fallacious petition, found entrance to the Royal Fountain, and turned that former stream of mercy from me; causing his Majesty to recede from his first decree of mercy, and order my execution; under which sentence I still, with all humility, submit.

Another reflection, I am credibly informed, is cast upon me, in order to make my load the greater; which is, that I was frequently visited, during my confinement, and even since my conviction, by lewd and infamous women. I cannot say that I have not been visited by divers women; but do not know them to be such: some of them were relations, and other persons, who had business with me relating to my unhappy circumstances. What will not malice invent!

There is one thing more which I omitted in my printed case, relating to my adversary's evidence; deposing, that the deceased Loxton fell without the door: which I declare solemnly, is utterly false; for what was done was in the room; I was not off from my bed when the accident happened; and when he dropped, he fell backwards upon the bed.

I might take notice of many more false aspersions, but will omit them; having, I thank my God, forgiven them all.

In the next place, it will be expected that I say something of my religion.

I declare, that I die a Protestant, and of the communion of the Church of England, whose doctrine teaches me to forgive my enemies, which sincerely I do: humbly begging, at the same time, that all those, who through inadvertency, heat of blood, or any juvenile folly, I have offended, will do the same by me.

As for the manifold reflections cast upon me since my confinement; the pretended widow's violent prosecution;

secution; the Farrier's notoriously false affidavit, and all other offences committed against me, I heartily forgive them.

And to conclude, I wish all gentlemen would only weigh the fatal cause of my unhappy exit, and avoid all such houses where the scene of this misfortune was first laid: let me be an example to them, to avoid those rocks I have split upon; that they may, with less difficulty than I have found it, be able to compose their thoughts, (which I thank God I have done) through the assistance of his divine spirit, and sink into a willing resignation to his divine will.

EDWARD BIRD.

*Account of the Trial of CATHERINE JONES,
for Bigamy; with the singular Reason of her
being acquitted.*

AT the sessions held at the Old Bailey, on the 5th of September, 1719, *Catherine Jones*, otherwise *Rowland*, was indicted for marrying Constantine Boone, in the month of April preceeding, her former husband, John Rowland, being then living.

In the course of the evidence it appeared that the prisoner had been married to John Rowland, by Dr. Talboy, on the 27th of April, 1713, at a private house in Blue-Ball-Alley in the Mint, Southwark; and that in the month of April, 1719, she was married in the same house to Constantine Boone.

When the prisoner came to make her defence, she did not hesitate to own both the marriages; but insisted that Boone was no man, and therefore could not be a husband; that *he* (or *she*, as the reader pleases,) was a monster, an Hermaphrodite, and had been

been shewn as such at Smithfield, Southwark-fair, and several other places.

In support of this assertion several witnesses were called; and one in particular deposed, that he knew the mother of Boone, who dressed it in girl's cloaths, sent it to school as a girl, and had it instructed in needle-work till it was twelve years of age, after which it *turned man, and went to sea.*

Boone also appeared in court, acknowledged the being an Hermaphrodite, and the having been shewn as such.

It likewise appeared by Boone's own confession, as well as by the testimony of several witnesses, that the woman was more predominant in HER (for that is now the proper term) than the man; whereupon the jury acquitted the prisoner.

Such are the particulars of this uncommon case; what inducement an hermaphrodite could have to take a wife, we profess ourselves unable to judge, and therefore leave the matter to the determination of the reader.

*Account of the Trial of JOHN MATTHEWS,
a Printer, executed for High Treason.*

AT the sessions held at the Old Bailey on the 30th of October, 1719, John Matthews was indicted for printing and publishing a seditious libel, intituled, *Ex Ore tuo te Judico; Vox Populi vox Dei*;* containing many seditious and traiterous expressions,

* *Out of thy own mouth will I judge thee; The voice of the people is the voice of God.*

No. 9.

T t

highly

highly reflecting on the King and government, tending to alienate the minds of his Majesty's subjects, to seduce them from their allegiance, and to promote rebellion.

To this indictment the prisoner pleaded Not Guilty; whereupon the council for the crown opened the cause, setting forth the pernicious consequences of such proceedings, as well as the illegality of them, as they are directly contrary to an act of parliament of the 12th of Queen Anne, for the better and more effectual securing her Majesty's person and government, and the Protestant succession in the Illustrious House of Hanover.

They also observed that though the prisoner had been before taken into custody for the like seditious practices, and had been set at liberty merely through the lenity of the government, yet neither that indulgence, nor the danger of future punishment had been sufficient to deter him, so strong was his propensity to treasonable proceedings.

They then proceeded to call their evidences, the first of whom was Laurence Vezey, who deposed, that he being journeyman to the prisoner's mother, and that his brother being apprehensive of his proneness to such practices, in order to prevent him therefrom, he ordered him to keep the key of the printing-house, and the prisoner brought the form containing part of the aforesaid book to the press, and bid him pull a proof of it, which he did, and that the prisoner afterwards came down to him and said that the pages had been transposed, but he had now set them in their right places, and after that he pulled him another proof; that then he desired him, this evidence, to come betimes in the morning to work them off, and told him that he himself would take care of the paper, that every thing should be ready; that he importuned him several times to do it, and that one morning he went pretty early in order so to do,
and

and knocked at the door designing to call up William Harper, who was the apprentice; but the prisoner came to the door himself, and let him in, and called Harper up, who assisted this evidence in working them off, the prisoner himself taking off the sheets at the press for the greater expedition; and that when they were done, the prisoner carried them down stairs, and paid this evidence for working them off.

William Harper, the apprentice, acknowledged that he assisted Vezey in working off the sheets at the press, and that the prisoner took off the sheets as they were worked. He likewise added, that he himself saw the prisoner composing the matter * from the manuscript copy.

His Majesty's messengers deposed, that having received orders to apprehend the prisoner, and seize the said libels, they did so; and on searching, found a considerable number of them in a room which Mr. Matthews acknowledged to be his room, and likewise found in his pocket two of the said papers. † That when they had the prisoner in custody, they told him that the only effectual way to make his peace with the Ministers of State, was to make an ingenuous and candid confession who it was that employed him; to which he replied, "G—d d—n
" them" (meaning his employers) "they were a parcel of worthless dogs, who were good for nothing
" but over a pot of ale;" and that the messengers continuing to urge him to make a full discovery,

* "Composing the matter" is a technical term among printers, which signifies picking up the letters, and putting them in proper order for printing.

† These papers being produced in Court, appeared to be the proofs mentioned by the evidence Vezey; the one that where in the pages were transposed, and the other a proof, or revise, in which the pages were set right, and the faults marked.

he said that “ He knew very well what he had to do, “ that he had nothing now to do but to let his money “ fly, and to get a good jury.”

A paper was produced in court, written by the prisoner's brother, and signed by the prisoner, in which he owned the fact, declared who had employed him to print the said libel, and begged pardon for his offence: this paper had been carried by the brother to one of the secretaries of state, in order to procure favour for the prisoner.

An evidence deposed, that the prisoner having been sent for to the Secretary of State's Office, and examined respecting the abovementioned paper, he would not directly own that it was sent by his order or direction, or that it was subscribed by himself; but prevaricated greatly in his answers to such questions as were asked him.

Mr. Matthews, the prisoner's brother, being called and shewn the paper, was asked if he did not carry that paper to the Secretary of state, as a paper signed by his brother; to which he answered in the affirmative; but declined swearing that his brother's name, with which it was signed, was written by the prisoner, because he said he did not see him write it; but at last being strictly interrogated about it, and taking the paper in his hand, and looking upon it again, deposed, that he did believe the prisoner's name was written by the prisoner's own hand, and that he did carry it to the Secretary of State as such.

The prisoner in his defence had very little to say more than a bare denial of the fact: indeed he endeavoured to contradict that part of the evidence which related to the said papers being found in his custody, alledging, that it was a room which was a passage into another, and so might as well belong to any body else as to him, and also to lessen the credit of Vezey's evidence, by calling some persons as to his character; but failing in that point, his council laboured

boured his case as far as the matter would bear against such positive evidence; to this the council for the King replied, and the court having summed up the evidence on both sides, the jury found him guilty of the high treason charged in the indictment, and he received sentence of death.

After his condemnation he was visited by the Reverend Mr. Skerret, who also attended him at the place of execution, whither he was conveyed with the utmost appearance of unconcern, and where he delivered a paper which was communicated to the Secretary of State.

This paper was not published, but it was given out that it contained Mr. Matthews's declaration that he died in a firm and true allegiance to King George; in perfect charity with all mankind, and a member of the Church of England.

It does not appear from any thing in the preceding trial, though this youth printed the abovementioned paper, that he published it, or that it was ever published; and yet he was indicted for printing and publishing of it.—We cannot but think his case a very hard one; and at the same time we congratulate our countrymen, that through the intrepid and manly behaviour of Mr. WILKES, it has been determined in a solemn and judicial manner, that the houses and persons of ENGLISHMEN are no longer subject to be searched, in consequence of the arbitrary mandate of a Secretary of State!

Mr. Matthews was executed at Tyburn, (being only nineteen years of age) on the 6th of November, 1719.

Account of the Trial and Life of THOMAS BUTLER, Esq. who was executed for a Highway-Robbery.

AT the sessions held at the Old Bailey in the month of January 1720, *Thomas Butler*, alias *Becket*, Esq. was indicted for assaulting Sir Justinian Isham on the highway, putting him in fear, and taking from him a gold watch, a silk night-gown, and six Holland shirts: and he was a second time indicted for assaulting John Whitacre on the highway, putting him in fear, and taking from him a silver watch, a sword, and eight guineas, his own property, and 14l. 8s. 6d, the money of Edward Freeman.

Mr. Whitacre deposed, that as he was travelling on the road near Dunstable in Hertfordshire, in company with Sir Justinian Isham, they were attacked by three men, one of whom took Sir Justinian out of his chariot, and another, whom he believed to be the prisoner, took him (this deponent) out.

Mr. Whitacre had hid his watch under the seat of the chariot, but the prisoner searched till he found it. They took from Sir Justinian his pocket-book, and then were going to break open his trunk, but Mr. Whitacre giving them the key, they unlocked it, and took out the things mentioned in the indictment. When the prisoner was taken, he acknowledged that he had Sir Justinian's watch and night-gown, and Mr. Whitacre's watch and ring, for his share of the booty, and that he kept the gown for his own wearing. This gown was found in the prisoner's lodging, and produced in court.

About half a year after the robbery the prisoner was taken, when he confessed to Mr. Osgood who appeared

appeared as an evidence, all the particulars of the robbery, saying that it was committed by himself and Jack —— who passed for his footman, and was in Ireland at the time of this trial, and one Smith who had been hanged at Maidstone some time before.

The prisoner's landlady deposed, that he lodged at her house near Red-Lion-Square, Holborn, went by the name of Squire Becket, wore black velvet cloaths, laced ruffles, and every thing else answerable thereto.

The jury having found Butler guilty of both the indictments, he received sentence of death; and while he lay under condemnation, he gave the following account of himself.

“ I am now about forty two years old. I was
 “ born in Ireland. My father was an officer there in
 “ King James's army, and I followed him to France.
 “ At the time of the rebellion in Scotland, I was sent
 “ to Paris to assist a person of honour, by making
 “ myself a spy in the late Duke of Ormond's family;
 “ for which service I was for some time afterwards
 “ allowed 20 l. a year from his Majesty. But by this
 “ I lost the favour of my friends and relations, who
 “ espoused a different interest. From Paris I went
 “ into Holland, in hopes of improving my fortune;
 “ but, instead of that, I spent most of the little money I carried with me, and then came to England.

“ And here I commenced highwayman. I and my
 “ man Jack committed a vast number of robberies
 “ in Kent and Essex. I always affected to live generously upon what we got with so much hazard.
 “ I hired lodgings genteely furnished, sometimes in
 “ London, and sometimes in a considerable country-town. My dress was commonly rich, I never
 “ wanted good horses, and at proper times my companion Jack wore a livery; and attended me in
 “ quality

“ quality of a footman ; and thus wherever I came I
 “ appeared as a man of fortune.—I once robbed
 “ a gentleman of a medal, and a valuable picture,
 “ which are the only things I wish had been restored
 “ to the owner ; but the picture I lost, and the me-
 “ dal I presented to a lady in Ireland.—It has
 “ been reported, that I have had eight wives ; but
 “ the report is entirely false, for I was never law-
 “ fully married to one.—I profess myself a mem-
 “ ber of the Church of Rome ; but I have always
 “ been a faithful subject to his present Majesty, and
 “ have received several wounds in his service.”

To this account the Ordinary adds, that he ap-
 peared penitent, and received the sacrament from one
 of his own persuasion ; and apprehends, that though
 he said he was never lawfully married, yet he might
 have been married according to the rites of the Church
 of England, but, being a Roman Catholic, did not
 esteem such marriages lawful.

We shall seldom hear of a highwayman who has
 lived a life of so much apparent gaiety as Butler did,
 yet it ended in an infamous death at Tyburn, on
 the 8th of February 1720—1.

*Abstract of the Trial of WILLIAM ROBINS,
 who was charged with having committed a
 Rape, and acquitted.*

AS readers of this work will reasonably expect
 matters of entertainment as well as instruction,
 we insert the following trial for the sake of the sin-
 gularity of the mother's evidence.

At the sessions held at the Old Bailey in January,
 1720, William Robins of St. James's Westminster,
 was

was indicted for assaulting, ravishing, and carnally knowing Mary Tabor, a girl of about seven years of age, on the 24th of December preceeding.

The child's mother gave her deposition in the following words. " My husband took the child out
 " with him on Christmas Eve, and when she came
 " home she seemed to be very uneasy, and every now
 " and then would be wriggling her backside about.
 " Where have you been hussy? says I; why, says
 " she, I have been sitting upon our taylor's shop-
 " board: so she said no more to me then; but on
 " Monday she complained that she smarted sadly, and
 " could not make water, and't please your lordship,
 " and so I wondered what a dickens was the matter,
 " though little did I dream how the poor thing had
 " been served. But however she grew worse on Tues-
 " day, and then I began to examine the case, and
 " found her very much out of sorts. Ye young bag-
 " gage you, says I, how comes this about? why, says
 " she, William, our Taylör, put his finger into where
 " I make water.—And did he put nothing else there,
 " hussy, says I?—Yes says she, the thing that he
 " makes water with."

The father of the child deposed, that the prisoner had confessed to him that the child had been with him on Christmas Eve, but denied that he did any thing to her. Several other evidences deposed, that the prisoner's stall was next the street, that only one person could work in it at a time, that it had a flap to shut up, that the child was well before the day mentioned in the indictment, and that no marks were found on her linen till afterwards.

Elizabeth Smith deposed. that the child's private parts were swelled and rent downwards, and that force had been used with her.

Three surgeons deposed that they found the parts very sore, and much bruised; that the girl had

a running, which still continued, that there had been a penetration, and she had been forced by a man.

On the contrary, two other surgeons deposed, that it did not appear that a penetration had been made by a man, for the passage was not large enough. One of these gentlemen tried to pass his probe, but it would not go up: they said that the girl was not lacerated, though there was a running; but that they had known the like to be occasioned by a child's riding on a horse.

A woman that lived opposite the prisoner, deposed, that his shop being next the street, was as public as the highway, and some person or other was always in it. She also said, that on Christmas Eve the prisoner was hard at work to finish a coat against Christmas-day, and worked till midnight.

Five or six persons were called, who gave the prisoner the character of an honest civil man, though one of them owned that he would run after the girls a little. The jury brought him in Not Guilty.

The Trials of WILLIAM SPIGGOT, THOMAS PHILLIPS, alias CROSS, WILLIAM BURROUGHS, and WILLIAM HEATER, for Highway-Robberies.

IN the course of the following trials there are so many witnesses examined, that it will be impossible to throw the whole into the form of a narrative, and at the same time leave the story clear and intelligible; it will therefore be proper to give the depositions of the witnesses in their own words.

Several bills of indictment having been found by the Grand Jury against *William Spiggot* and *Thomas Phillips,*

Phillips, for robberies on the highway, they were brought to the bar to be arraigned, when both of them declared that they would not plead till the court had ordered the horses, furniture, money, and other things which were taken from them when they were apprehended to be returned.

The court informed them that this could not be granted; and, for their satisfaction, ordered the clerk to read the following clause in an act made in the 4th and 5th of King William and Queen Mary, intituled, “An act for encouraging the apprehending
“ of highwaymen.”

“And it is hereby further enacted, That all and
“ every person or persons, who shall take, apprehend, prosecute, or commit such robber or robbers, as aforesaid, as a farther reward, shall
“ have and enjoy to his and their proper use and behoof, the horse, furniture and arms, money and
“ other goods of the said robber or robbers, that shall
“ be taken with him or them.

“And their Majesties right or title, bodies politic
“ or corporate, or the right or title thereunto of the
“ lord of any manor, liberty or franchise, or of him
“ or them, lending or letting the same to hire, to
“ any such robber or robbers, in any wise notwithstanding.

“Provided always, that this clause, or any thing
“ therein contained, shall not be construed to extend
“ to take away the right of any person or persons
“ to such horses, furniture and arms, money and
“ goods, from whom the same were before feloniously
“ taken.”

But notwithstanding this, the prisoners still refused to plead, and the court (having in vain acquainted them with the ill effects of their refusal, and endeavoured to dissuade them from their obstinacy) gave orders, that the judgment should be read, which the law has appointed to be executed upon such prisoners

ners, as shall stand mute, or refuse to plead to their indictment. The judgment was to the following effect:

“ That the prisoner shall be sent to the prison
 “ from whence he came, and put into a mean room,
 “ stopped from the light, and shall there be laid on
 “ the bare ground, without any litter, straw or other
 “ covering, and without any garment about him, ex-
 “ cept something to hide his privy members. He
 “ shall lie upon his back, his head shall be covered,
 “ and his feet shall be bare. One of his arms shall
 “ be drawn with a cord to one side of the room, and
 “ the other arm to the other side; and his legs shall
 “ be served in the like manner. Then there shall be
 “ laid upon his body, as much iron or stone, as he
 “ can bear, and more. And the first day after he
 “ shall have three morsels of barley bread, without
 “ any drink; and the second day, he shall be allow-
 “ ed to drink as much as he can, at three times, of
 “ the water that is next the prison-door, except run-
 “ ning water, without any bread; and this shall be
 “ his diet till he dies: and he, against whom this
 “ judgment shall be given, forfeits his goods to the
 “ King.”

This having no effect on the prisoners, the executioner (as is usual in such cases) was ordered to tie their thumbs together, and draw the cord as tight as he was able; which was immediately done; but neither this, nor all the admonitions of the court, being sufficient to bring them to plead, they were sentenced to be pressed to death.

Pursuant to this judgment, they were carried back to Newgate. As soon as they entered the Press-room, Phillips desired that he might return to the bar and plead; but Spiggot continuing obstinate was put under the press. He bore 350 pounds weight for half an hour, but then 50 more being added, he begged that he might be carried back to plead, which favour was granted.

William

William Spiggot, and Thomas Phillips were indicted for assaulting John Watkins, on the highway, putting him in fear, and taking from him a silver watch, a Holland gown, a pair of stays, a scarlet riding-hood, and several other goods, to the value of 200 l. and 5 l. in money, on the 12th of November, 1720.

They were a second time indicted with William Heater, they, for assaulting John Turner on the highway, putting him in fear, and taking from him five guineas, the money of the said John Turner, and a box, a gold watch, twelve Holland shirts, two pair of laced ruffles, four turnovers, two cambrick bosoms, two pair of stockings, a hat, a perriwig, and twelve guineas, the goods and money of Neal Sheldon, Esq. on the first day of November last; and William Heater, as accessory, in harbouring them, and receiving the same goods, knowing them to be stolen.

First Indictment.

JOHN Watkins. As I was going to Monmouth, with my pack-horses, between Brentford and Smallberry-green, I observed that Phillips followed and watched me; and, when I came to Bishopsgrove, on Hounslow-heath, Spiggot, Phillips, and another rode up to me. Spiggot clapped a pistol to my breast, bade me stand, took five pounds and my watch from me; and swore, if I would not tell him which horse the money was on, he would kill them all. As for Phillips, he stopped the Ostler, who was with me, and took one of the Pack-horses, with the goods, while the other person secured my man. I lost above two hundred pounds in all. I am certain that the prisoners, Phillips and Spiggot, were two of the three that robbed me. I knew Spiggot a great many years ago, and had seen him in Monmouth Jail.

Second

Second Indictment.

JOHN Turner. I was robbed near Tyburn, on the first of November, by five men, who were disguised with masks. Four of them were on horseback, and the other was on foot. They took Mr. Sheldon's box out of the waggon, and carried it away, and I following them, they knocked me down, and went into my waggon again, but took nothing more out of it; but however, one of them being on foot, they took my mare away, and so they all rode off.

Mr. Sheldon. Intending to leave Buckinghamshire, and thinking my portmanteau too heavy for my man to carry behind him, I sent it up with John Turner, the Wendover Carrier. The wig, which I have now in my hand, was part of the goods that were in the box, (or portmanteau) which I delivered to Mr. Turner.

Mr. Bryan. I went with Mr. Merrit, to search Spiggot's lodgings, and there found the wig that Mr. Sheldon has now produced.

Mr. Merrit. We found that and several other things, some of which were taken out of the Portsmouth waggon, and others were taken from persons that were robbed under Tyburn.

Edward Plummer. I know this to be Mr. Sheldon's wig, I altered it for him.

John Merrit again. Mr. Watkins came to me, and said he was ruined; for three highwaymen had robbed him on Hounslow-heath, had taken away his money, his watch, his goods, and a pack-horse. Upon this, I made enquiry after the prisoners, and finding where they had hired horses, I desired the person to stop them, or give me notice if they came to hire any more, and I would reward him. I dogged William Heater with the horses from Finsbury, to the George in Long-acre, and thence to Mr. Rowlet's in the
Broadway

Broadway, Westminster, where he set them up. I and some others placed ourselves awhile in a house, opposite to the inn; but, after a little consultation, believing that the Inn-keeper, Mr. Rowlet, was an honest man, we went over and acquainted him with our business. He told us, that we should not only be welcome to sit up in his house to watch, but that he would assist us, which he did: and, about ten o'clock next morning, Spiggot, Phillips, and Joseph Lindsey came, and went into the stable, where, after a strong resistance, we took them all.

John Rowlet. I followed Spiggot into the stable, kicked up his heels, and scuffled with him for near half an hour. He shot me through the left shoulder, and got me down; but others coming to help me, they took him off, and then he offered me his sword, and said he had done.

Mr. Bryan again. I went with Mr. Merrit to Finsbury, and from thence we dogged William Héater with the horses to Westminster——Phillips flashed a pistol at me, in the stable, but it did not go off. I was then knocked down, and getting up again, I saw Mr. Rowlet was struggling on the ground with Spiggot, and had been wounded by him. Spiggot's sword was half drawn, I drew it quite, and made a thrust at him; but unluckily mist my aim, and run it into a Butcher's leg.——Spiggot swore, that he would kill a thousand, before he would be taken.

Mr. Hill, the constable. Mr. Merrit came to me, with the Recorder's warrant, and I went with him to Mr. Burton's, and then crossed over to Mr. Rowlet's. Lindsey (who is made an evidence) came in there about eight in the morning, and some of our company were for securing him first; but others were of opinion, that it might prevent their taking the others, and so we agreed to stay till we could meet with them all three together, which proved to be about
ten

ten o'clock the same morning. They all went into the stable, and we followed them. Phillips snapped at me with a musketoon, loaded with three bullets; but it only flashed in the pan.

—— Murrel, a boy. I was one of them that dogged Heater; he went from Finsbury to Long-acre, with two horses, and from thence he took another, and had them all three together to Westminster.

John Pritchard. Mr. Merrit shewed me the recorder's warrant. I went with him to apprehend the prisoner. Phillips snapped a pistol at us, but it did not go off. We afterwards took a blunderbuss from him. Spiggot fired two pistols, and wounded Mr. Rowlet.

James Leaton. Spiggot, Phillips, and Lindsey came to take horse at Westminster, and Heater came with them. Phillips snapped a pistol, but Lindsey surrendered himself to me.

Joseph Lindsey.—Spiggot, Phillips, Coltis, Tyfon, and I committed this robbery. Heater used to hire horses, and carry them backward and forward for us. He received some buttons and mohair, which he knew to be stolen; but they are not mentioned in this indictment.

Richard Burton. Spiggot bought a horse of me; and Heater was with him then, and said that he was his servant; but when they were taken, he denied he belonged to them.

Anthony Merrit. Heater several times has had Phillip's horse to look after, and used to fetch sacks, and put them under the saddles, and have the goods sold from his house.

Spiggot and Phillips had nothing material to say in their own defence; but they both declared, that Heater was innocent of the matter, and acted only as a porter, in fetching and carrying their horses.

There

There not being sufficient evidence to convict Heater, he was acquitted; the jury found the other two prisoners guilty of both indictments. Death.

William Spiggot was a third time indicted with William Burroughs, for assaulting Charles Sybbald, on the highway, putting him in fear, and taking from him fifteen guineas, and ten shillings, on the 25th of August last.

Joseph Lindsey. About last Bartholomew-tide, I and the prisoners met Mr. Sybbald, and his man, upon Finchley-common; one of them was on a white horse, and the other on a grey: we flopt them, and Spiggot took a purse from the prosecutor, with fifteen guineas in it, as I am since informed, though he let me know but of six and a half, so that he sunk the rest.

Charles Sybbald. On the 25th of August, I and my man were assaulted on Finchley-common, by three men on horseback; one of them secured my servant, and the two others came up to me (one on each side) and, presenting their pistols, made me dismount; when Lindsey taking my horse's bridle off, turned him loose, and the other two rifled me, one beginning at my head, and the other about my middle, and so searched downward; I lost fifteen guineas, some silver and some writings. They were tall men, and like the prisoners, but I cannot swear positively to either of them, but I had a plain view of Lindsey, and remember his voice. One of the others, whom I take to be Burroughs, had a long wig on, with the ends of it in his mouth, and the third, who I believe (though I cannot be certain) was Spiggot, had the cape of his coat buttoned up about his chin.

The prisoners denied that they knew any thing of the fact.

—— Burroughs, (brother to William Burroughs the prisoner.)—Lindsey's wife came and told me, that my brother had been in the country with her husband, and was returned to town raving mad. So I took him home to my mother's for a fortnight, and was forced to have men to sit up with him, and at last I got him into Bedlam, where he has been ever since my Lord-Mayor's Day.

The jury found them both guilty. Death.

But it afterwards appearing that Burroughs was lunatic, he obtained his Majesty's pardon.

Thomas Phillips, alias Cross, was thirty three years old, when he made his exit at Tyburn. He was born in Bristol, was never taught to write or read, nor put apprentice, but went to sea when very young. He served in the war against France, and was in the Dover Man of War when Admiral Byng * attacked the Spanish fleet in the Mediterranean, after which they took three Spanish ships in the mouth of Cadiz.

He was the most audacious rogue that ever stretched a halter. He took a particular pride in recounting his villanies: he swore, that once about ten o'clock at night, he and Spiggot robbed a hundred passengers, whom they took out of several waggons, and having bound them, set them all a-row in the road. By no means would he mind any thing that the Ordinary of Newgate said to him, but would swear and curse while the others were at prayers, and sing a reprobate ballad, when the rest were humming over a penitential slave of Sternhold and Hopkins. He would not willingly suffer any body that was near him to read or pray, or even look serious, and especially towards the last; for, as then the rest of the prisoners grew more devout, he grew more wicked: Sometimes he would ridicule them in the midst

* Afterwards Lord Torrington, father of the late unhappy Admiral.
of

of their duty, and at other times, without any provocation, would fall into violent passions, beating some and kicking others up and down the condemned-hold, and venting the most horrid expressions imaginable. In fine, he grew so insufferably outrageous, that the rest of the prisoners unanimously desired that he might be removed from them. He continued obstinate to the last, and yet, when he was under the gallows, declared, "That he did not fear to die, for he was in no doubt of going to Heaven."

William Spiggot was 29 years old at the time of his death. He was born at Hereford, in which city his father was an Ostler, and he himself was put apprentice to a Cabinet-maker. He said, that he served his seven years faithfully, and came out of his time about eight years ago, though he had been married above ten years, and had three children living, his eldest daughter being between seven and eight years old, and his son about six.

Before he was put into the press, the Ordinary of Newgate endeavoured to dissuade him from hastening his own death in such a manner, and thereby depriving himself of that time which the law allowed him to repent in, to which he only answered: "If you come to take care of my soul, I shall regard you, but if you come about my body, I must desire to be excused, for I cannot hear one word."

At the next visit the Chaplain found him lying in the vault, upon the bare ground, with 350 pounds weight upon his breast, and then prayed by him, and at several times asked him why he would hazard his soul by such an obstinate kind of self-murder. But all the answer that he made was, "Pray for me, Pray for me." He sometimes lay silent under the pressure, as if insensible of pain, and then again would fetch his breath very quick and short. Se-

veral times he complained that they had lain a cruel weight upon his face, though it was covered with nothing but a thin cloth, which was afterwards removed and laid more light and hollow, yet he still complained of the prodigious weight upon his face, which might be caused by the blood being forced up thither, and pressing the veins as violently as if the force had been externally on his face.

When he had remained half an hour under this load, and fifty pounds weight more laid on, being in all four hundred, he told those that attended him he would plead.

Immediately the weights were at once taken off, the cords cut afunder, and he was raised up by two men, and some brandy was put into his mouth to revive him, and so he was carried to take his trial.

He was very faint, and almost speechless for two days, and then he seemed to recover strength for a little time, but afterwards he grew worse, and desired to receive the sacrament, as thinking he should hardly live 'till execution-day. But before that time came he again recovered strength and then he constantly attended the prayers in the chapel twice a day.

The reasons he gave for enduring the press were, that his effects might be preserved for the good of his family, that none might reproach his children by telling them their father was hanged, and that Joseph Lindsey might not triumph in saying, he had sent him to Tyburn. He seemed to be much incensed against this Lindsey, for, says he, "I was once wounded, and in danger of my life, by rescuing him when he was near being taken, and yet he afterwards made himself an evidence against me."

Spiggot would sometimes wish he had died in the press, for he said, that, before he was taken out, he was fallen into a kind of slumber, and had hardly any sense of pain left; though at other times he appeared

peared glad that he had not shortened that time by his obstinacy, which otherwise the law allowed him for repentance.

He said he could not remember that he ever shed a tear in his life but once, and that was since his condemnation at his final parting with his little son; but that however, he thought himself as sincerely penitent as those who shewed their sorrow by their tears.

He confessed that he had been guilty of the greatest sins he could commit except murder; and that it was in vain to mention his numerous robberies on the highway, which were perhaps about a hundred; that he chiefly robbed upon Hounslow-heath, sometimes towards Kingston, and sometimes on the road to Ware; and that there was also one Tyson, and one Coltis or Colthouse, who belonged to their gang, but not yet taken.

He said that he did not desire to live, for he could hardly fetch his breath, and could only be a weak and unhealthy man. He often complained, that Thomas Phillips, alias Cross, was so obdurate in wickedness, that he not only refused to join with them in prayers, but would beat out their candles and rattle his irons, when ever they prepared to perform their duty.

Spiggot and Phillips were executed at Tyburn, on the 8th of February, 1720—1.

The Trials of SARAH JOHNSON and MARY PRICE, for Privately Stealing.

AT the sessions held at the Old Bailey in the month of May, 1721, *Sarah Johnson* and *Mary Price* were indicted for stealing four guineas, privately from the person of *Nicholas Higgins*, on the 12th of May 1721.

The prosecutor deposed, that he met the prisoners at the corner of Pall-Mall, about twelve o'clock at night; that *Mary Price* thrusting her hand into his breeches, he clapped his hand to his fob to secure the money he had there; but that the four guineas he lost were in his side-pocket; that *Johnson* then came up, and behaved in the same manner *Price* had done, and then they both went off. They were scarcely gone from him before he missed his money, on which he followed them, seized *Johnson*, and calling out to the watchmen, they stopped *Price*.

He swore he had the guineas in his pocket about half an hour before this, at *Richard's Coffee-House*, near *Temple-Bar*, from whence a friend came with him, from whom he had but just parted when he met the prisoners; that he met no other person by the way who could pick his pocket, that he was not in liquor at the time, and that the watchman who came to his assistance carried both himself and the prisoners to the round-house.

The watchman confirmed that part of *Mr. Higgins's* deposition in which he was concerned, and added, that he had heretofore taken the prisoners into custody for night-walking.

One Mr. Trenworth deposed, that he saw Mr. Higgins had gold at the Coffee-House, that he came with him from thence and that he was not drunk.

The defence which Sarah Johnson made was in the following words :

“ Moll Price and I had been to Chelsea, and as
 “ we were going home together, she stopt to tie her
 “ garter, at which time the prosecutor came by, and
 “ put his hands up her coats. “ Pray, Sir,” says I,
 “ be civil to the gentlewoman, for she’s with child ;”
 “ whereupon what does he do, but comes to me, and
 “ whips his hands under my coats.—“ Blood !” says
 “ he, “ you’re so fat, a body can’t feel what you have
 “ got ;” whereupon he goes to Moll again, and shoves
 “ her up against a door, and begun to do so and
 “ so with her ; but somebody opening the door within-
 “ side, they had much ado to save themselves from
 “ tumbling into the house together. Then he forced
 “ her to another door, and another after that, and
 “ would fain have been at it ; but, because neither
 “ she nor I would let him, he called the watch, and
 “ swore we had picked his pocket, which is as false
 “ as the child that’s unborn ; but he was very drunk,
 “ and would have had to do with a woman in the
 “ Round-house.”

As it appeared that both of them could not take the four guineas from his person privately, as laid in the indictment, the jury found Mary Price guilty of felony only, for which she was ordered to be transported ; but Sarah Johnson they found guilty of the indictment, and she received sentence of death accordingly. She indeed pleaded her belly, but a jury of matrons being impannelled, they found her not quick with child ; tho’ she was afterwards reprieved.

An Account of the Trials of BARBARA SPENCER, ALICE HALL and ELIZABETH BRAY, for Coining.

AT the sessions held at the Old Bailey in May, 1721, *Barbara Spencer, Alice Hall, alias Complin, and Elizabeth Bray*, were indicted for high-treason, in counterfeiting the current coin of this kingdom, on the 13th of April preceeding,

Elizabeth Miles deposed, that on Wednesday the 12th of April, Spencer and herself went to Hall's lodgings, that Hall was not at home, but they found Bray there, who gave them liquor till they were both fuddled, and then persuaded them to lie down on the bed, and not go away till she, (who was going out) returned: that accordingly they laid down and fell asleep, and in a little time Bray returned back and waked them, and about noon Alice Hall and another woman came home.

They remained at these lodgings all night, and the next morning went all together and drank at a brandy-shop in Bishopsgate-Street, where Spencer called Hall aside, and told her that she had no more bad money; to which Hall replied, "you may go home and make some; and if you have occasion for me, I'll meet you at the Bell and Horshoe in this street, at two in the afternoon."

Accordingly they met in the afternoon, when Hall brought the metal with her; and after they had drank together for some time, she bade Spencer, Bray, and this deponent go to her room, and make a fire, and she would be with them as soon as it was lighted. In their way Bray went into a shop,

burnt. Nor was she to be convinced by the Ordinary of Newgate, that she had been guilty of any crime in coining. She even boasted, that she had never been a thief, and that she had been but twice in Newgate, and no more than once in the Compter.

But, when her hopes of life were entirely vanished, her former spirit was quite sunk. She said, indeed, that she was not covetous of life, but could not bear the thoughts of burning.

She added, that her mother, who was lately executed (but for what we know not) suffered unjustly, and she little thought it would be her fate to follow her so soon, in a no less ignominious manner. She expressed however some satisfaction, that her husband was dead, who once lived in credit, and was a Butcher by trade.

When she stood at the stake she appeared to have less fear of death, than on the preceeding day. She was very desirous of praying, and complained of the dirt and stones thrown by the mob behind her, which prevented her thinking sedately on futurity.—One time she was beat quite down by them.

She declared, that she had been taught to coin by a man and woman, who had now left it off, and lived reputably, though, when they first began that trade, they were in very poor circumstances; but she would not discover who they were, it being, in her opinion, a pity that a family should be ruined, who had given over that practice, and so many hundreds live secure in London, who still continued the same; and added, that, though she saw the faggots lie ready to burn her, she would never take away the life of another, by making herself an evidence, even if a magistrate was to come in person, and offer her a pardon to do it; and therefore she found it very difficult to forgive Miles, her old companion and accuser. But however, just before the fire was kindled, she said, she forgave not only her, but all the world,

and died in perfect charity; that she suffered justly, and hoped others would take warning by her untimely end.

She was burnt at Tyburn, on the 5th of July, 1721.

Account of the Trial and Life of JOHN WINSHIP, who was hanged for robbing on the Highway.

AT the sessions held at the Old Bailey in the month of July 1721, John Winship was indicted for assaulting Christopher Lowther Esq. on the highway, and taking from him a watch, value five pounds, a purse, and ten guineas, on the 25th of May preceeding.

William Size deposed, that on Thursday the 25th of May, as he was driving Mr. Lowther in the coach for Hatfield, between four and five in the morning, a man rode up to him between Pancras Church and the half-way-house, and bad him stop, and then going to the gentleman in the coach, he swore "G—d " d—n ye, Sir, your watch,—your purse—deliver—" and took both watch and purse away with him: that he rode on a grey horse with a whisk tail, and a fustian frock and a black mask. This evidence however would not swear positively to the prisoner, because he did not see his face; but he said that when he put on the frock, which was found in his lodgings, he looked very much like the man that committed the robbery.

William Clark deposed, that he took the prisoner in Drury-Lane, and on searching his lodgings, found
a long

shop, and bought the materials to make the molds : as soon as the fire was made Hall came home, locked the door and melted and refined the metal, while Spencer and Bray made the molds, and when they were done, Spencer cast forty counterfeit shillings, and gave Hall and Bray half a crown each for their trouble.

This being done, she delivered the flasks or molds, with a shilling in them, to this evidence to carry away, for fear she should be taken up, as being suspected for a person dealing that way ; “ For,” said she, “ if “ they were found in the house, it would be enough “ to take away twenty peoples lives.” She left the ladle and file in a cupboard over the door in Hall’s room, for she said they could not make any thing of them if they found them : five of the forty shillings then made she kept, and gave the rest, wrapped up in a paper, to this deponent.

Besides the above evidence of Miles there were other witnesses who made it appear that Spencer had the five counterfeit shillings about her, and that when she was taken she offered three several persons thirty pounds apiece to let her escape : whereupon the jury acquitted Hall and Bray, and found Barbara Spencer guilty of the the indictment, for which she received sentence to be burnt at a stake.

Barbara Spencer, by her own account, was born in the parish of St. Giles’s without Cripplegate. She was naturally of a violent temper, and her mother was too indulgent to curb her as she ought to have done. To this vicious fondness it was, that the daughter imputed all her misfortunes. When her mother found she grew too headstrong to be managed any longer at home, she put her out an apprentice to a mantua-maker. Her mistress, having known her from an infant, was little leses indulgent to her than her mother had been. The girl had served two years, when, upon a rough word from her mis-

trefs, ſhe ran home again to her mother, and gave her a long account of the cruel uſage ſhe had met with. The mother, who then kept a brandy ſhop, taking her child's part, would not let her go back to her old miſtreſs, and thinking, beſides, that ſhe might be of ſervice to her in the ſhop, reſolved to keep her at home.

In a little time ſhe acquainted her mother, that ſhe would live no longer with her, except ſhe kept a maid, and a maid was hired accordingly ; but they two happening to quarrel, and the mother interpoſing, the daughter reſented it, and left her again. The old woman then took an alehouſe in Cripplegate pariſh, where ſhe had not been long, before her daughter came to her a ſecond time ; but in a little time after this, the malefactors being to be hanged at Tyburn, Barbara would needs go and ſee the execution. Her mother, endeavouring to prevent her, ſtruck her, upon which ſhe left the houſe, and meeting with an acquaintance, they went to Tyburn together, and from thence to a houſe by St. Giles's-Pound, where, complaining of her mother's uſage, and vowing never to return home, ſhe was encouraged in that reſolution by the company, who gave her hopes of living much more to her ſatisfaction, 'if ſhe would but come into their meaſures.—She quickly complied, and they let her into ſome of their ſecrets in coining. Her firſt employment was to utter their counterfeit money, for which ſhe was apprehended, ſent to Newgate, convicted, and fined. In Newgate ſhe began her acquaintance with Miles, who paid ſomething for her, when ſhe was diſcharged ; but who afterwards (as we have ſeen in her trial) proved an evidence againſt her.

While ſhe lay under condemnation, and before the dead warrant came down, ſhe was very outrageous and turbulent in her behaviour, and could not be perſwaded to think of death, and much leſs of being burnt.

mitted any murder, for which reason he hoped (though he had been guilty of many other sins) God would be graciously pleased to forgive him.

He appeared very desirous of life, and said he would gladly go to any part of the world, even for the whole remainder of his days, to avoid the shameful death his crimes had merited ; not so much for his own sake, as for the sake of his ancient mother, who would probably end her days with grief, when she heard of his unhappy exit.

“ And yet” (says the Ordinary of Newgate) „ if you
“ were at your liberty again, ’tis very likely your
“ mind would change as it did sometime ago, when
“ you obtained a reprieve, though you promised the
“ Duke of Chandois to go to Africa.

“ It was not I” (replied Winship) “ who entered
“ into that engagement, but Will. Downing, who
“ was reprieved at the same time, and received 50l.
“ of the Duke on that condition. I indeed offered
“ his grace to go, if he would procure me any small
“ commission, and I had no occasion to go otherwise,
“ though I would have gone notwithstanding ; but my
“ father, mother and wife were against it, for I
“ have an uncle at Kingston in Jamaica, who went
“ over thither a Ship-Carpenter, and has since, by
“ taking pyrate vessels, acquired a fortune of 2000l.”

The Ordinary then asked him, if he did not rob a gentleman in a chaise, as he was watering his horse at a church door one Sunday in sermon time ?

“ Look ye, Sir,” says Winship, “ if the thing was
“ done, ’tis no matter where or when ; the time or
“ place makes no difference in the action. If I as-
“ faulted a man, and took his money at the play-
“ house door, on a Saturday night, it was a rob-
“ bery ; and you can make no more of it, if I did
“ the like at the church door on a Sunday morning ;
“ but whether I did any such thing or not, it is no
business

“ business of yours. I shall confess no particular fact,
 “ nor discover any robberies to bring one man to be
 “ an evidence against another ; for if I had not been
 “ an evidence formerly, I might have got off at my
 “ trial.”

He was executed at Tyburn (in the 22d year of his age) on the 21st of July, 1721.

*Account of the Life of JOHN MEFF, executed for
 returning from transportation.*

THE fate of John Meff was somewhat extraordinary : he was apprehended for committing a robbery near London, but the time when it was done being within the limits of an act of grace granted by King George the First, the court did not think it necessary to bring him to trial ; so that he would of course have been discharged at the goal delivery ; but having been transported for a former offence, and not staid the limited time, a bill of indictment on the late act “ For the more effectual transportation of felons,” was found against him by the grand jury ; and thereupon,

John Meff, alias Merth, alias Mason, was indicted, for that he having been convicted of felony and burglary, and ordered to be transported for the same, to some of his Majesty’s plantations in America, for the space of seven years, was afterwards found at large in Great Britain, without any lawful cause, before the expiration of the said term.

The record of his conviction, and of the order of court thereupon, being read, the witnesses for the king were sworn, and deposed, that the prisoner was the same man, who in October, 1717, was in that
 court

a long hunting whip and a white frock; and that the prisoner's wife being present, fell down on her knees, and begged of this deponent, for God's sake, not to discover that he had found the frock.

One Mr. Gibson deposed, that as he was drinking with some friends near Pancras Church, the prisoner, whom he knew before, came up and called for a quartern of brandy, and asked him to take a glass of it, which he did: that the prisoner told him he came to drink the waters, but the Wells not being open, he said he would take a ride and drink the waters at his return; but that in less than a quarter of an hour he came galloping back towards London, and called out to this deponent as he passed by: that it was then past four o'clock in the morning, and the prisoner wore a white frock buttoned up, and rode a grey horse with a whisk tail.

Another evidence, a lad of sixteen years of age, deposed, that being going that way he got up behind the coach, and that while he was there he saw the prisoner by it, and turn back again, and that he came almost close behind the coach without his mask, so that he had a full view of his face.

This evidence likewise deposed to the circumstances of the robbery, and to his dress and the colour of his horse, as sworn to by the former witnesses.

The prisoner denied the fact, and insisted that his health was such at the time mentioned in the indictment, that he was not able to have performed such an enterprize; and to prove this he called his surgeon; who deposed, that the prisoner was then so weak he could hardly go alone, being just come out of a salivation; adding, that he advised him to take a walk morning and evening, but saying he was not able, he (the surgeon) advised him to hire a horse and ride out a little for the benefit of the air, and that on the 25th of May he saw him, before
four

four in the morning, at the end of Gray's-inn-Lane, on a grey horse, and dressed in a white frock.

On the trial it appeared that the prisoner had been an evidence in that court, against others, whom he had convicted of several robberies in which he himself had been concerned.

The jury found him guilty, in consequence of which he received sentence of death.

John Winship was born near Covent-Garden. At about fifteen years old he was put apprentice to a Carpenter; but, as a close application to business was by no means agreeable to his disposition, he soon left his master, and falling into a black-guard way of life, got acquainted with hackney-coachmen, who gave him now and then a penny, or a quartern of gin, for watering their horses. Jack had a penetrating genius, and, observing that many of them spent more than their wages, he quickly discovered the secret of their sharing the profits of the day with their masters; and it was not long before one of them being discarded, Jack got into his place; but, as he followed the steps of his predecessor, in a little time he was turned off in the same manner.

However, he was not much at a loss for business; he had been inclined to thieving from his infancy, and now made it his whole employment. He could blame nobody for seducing him, for he begun an ill course of life, not only very early, but of his own accord, and arrived to a considerable proficiency without the least assistance of others. His abilities in his calling promoted him to the honour of an intimacy with several gangs of highwaymen, who, as he said, courted his company for his uncommon activity, and dextrous management, and esteemed him the principal man among them.

In all his robberies (which were pretty numerous for one of his age) he said he had never committed

court tried for and convicted of breaking the house of John Westerbane, on the 17th of September, 1717, in the night-time, with an intent to steal his goods; and the house of Roger Grant, on the 29th of August, 1717, in the night time, and stealing his goods. The jury found him guilty, and he received sentence of death.

While he lay under condemnation he gave the following account of himself.

“ I was born in London of French parents, who
 “ fled hither for protection, when the French Pro-
 “ testants were driven out of France by Lewis XIV.

“ I was put apprentice to a Weaver: my father
 “ having continued about twelve years in England,
 “ went with the rest of his family to Holland. I
 “ served my time faithfully, and with the approba-
 “ tion of my master. Soon after I came to work for
 “ myself I married; but my business not being suf-
 “ ficient to maintain myself, my wife, and chil-
 “ dren, I was willing to try what I could do at
 “ thieving.

“ I followed this practice till I was apprehended,
 “ tried and condemned for house-breaking; but, as
 “ I was going to the place of execution, the hang-
 “ man was arrested, and I was brought back to New-
 “ gate. It was thought, that this was my contrivance,
 “ to put a stop to public justice; but I was so far
 “ from being any ways concerned in it, that I knew
 “ nothing of it till it was done. This might have
 “ been a happy turn for me, if I had made a right
 “ use of it; for my sentence of death was changed
 “ for that of transportation. And indeed I took up
 “ a solemn resolution to lead an honest and regular
 “ course of life, and to resist all the persuasions of
 “ my comrades to the contrary. But this resolution
 “ continued but a short time after the fear of death
 “ was vanished.

No. X

Z z

“ I be-

“ I believe however, that, if I had been safe landed
 “ in America, my ruin might have been prevented ;
 “ but the ship, which carried me and the other convicts,
 “ was taken by the pirates. They would have persuaded.
 “ me and some others to sign a paper, in order to be-
 “ come pirates ; but we refusing they put me and eight
 “ more ashore, on a desert uninhabited island, where
 “ we must have perished with hunger, if by good for-
 “ tune an Indian Canoe had not arrived there. We
 “ waited till the Indians were gone up the island, and
 “ then, getting into the vessel, we sailed from one
 “ small island to another, till we reached the coast
 “ of America.

“ Not chusing to settle in any of the plantations
 “ there, but preferring the life of a sailor, I shipped
 “ myself on board a vessel that carried merchandize
 “ from Virginia and South-Carolina to Barbadoes,
 “ Jamaica, and other of his Majesty's islands. And
 “ thus I lived a considerable time ; but at last be-
 “ ing over desirous to see how my wife and children
 “ fared in England, I was resolved to return at all
 “ adventures.

“ Upon my arrival here, I quickly fell into my for-
 “ mer wicked practices, and it was not long before I
 “ was committed to Newgate, on suspicion of robbing
 “ a person near London ; but, by the assistance of a
 “ certain Bricklayer, I broke out of prison and went
 “ to Hatfield, where I lay concealed for some time ;
 “ but at last was discovered, and taken again by the
 “ same Bricklayer who had procured my escape.
 “ Some evil genius attended me, I was certainly in-
 “ fatuated, or I had never continued in a place where
 “ I was so likely to be discovered.

“ My father is now a Gardener at Amsterdam.
 “ 'Tis an addition to my misfortune, that I cannot
 “ see him and my mother before I die ; but I hope
 “ when he hears of my unhappy end, he will keep
 “ my

“ my children by my first wife from starving. My
 “ present wife is able by her industry to bring up her
 “ own offspring; for she has been an honest careful
 “ woman, during the nine months I have been mar-
 “ ried to her, and has often pressed me to go over to
 “ Ireland, and lead a regular and sober life. It had
 “ been well for me if I had taken her advice.

“ I have had enough of this restless and tumult-
 “ tuous world, and hope I am now going to a bet-
 “ ter. I am very easy and resigned to the will of
 “ Providence, not doubting but I have made my
 “ peace with Heaven. I thank God that I have not
 “ been molested by my fellow-prisoners, with the
 “ least cursing or swearing in the Condemned-hold;
 “ but have had an opportunity of employing every
 “ moment of my time in preparing for a future state.”

He was executed at Tyburn, on the 11th of Sep-
 ber, 1721.

Account of the Trial, conviction, and Life of
 JOHN JAMES, *executed for robbing on the*
Highway.

AT the sessions held at the Old Bailey in the
 month of October, 1721, *John James*, alias
Richard James, was indicted for assaulting Collet
 Mawhood on the highway, putting him in fear, and
 taking from him a gold ring with a blue stone in it,
 value twenty shillings, and ten shillings in money, on
 the 28th of August preceeding.

Mr. Mawhood deposed, that as he was travelling
 near Hanwell-Heath on the 28th of August, about

five o'clock in the afternoon, he was attacked by two highwaymen, one of whom he was certain was the prisoner, and that one Nathaniel Hawes had confessed that he was the other. He said they took from him ten shillings and a gold ring, in which was set a blue stone; that having a great value for the ring, for the sake of a deceased friend who left it him, he begged the highwaymen to let him have it again, telling them his name and place of abode, and promising them any reasonable acknowledgement for it: that thereupon Hawes returned the ring; on which the prisoner swore, threatened to shoot Mr. Mawhood, took the ring from him a second time.

Jonathan Wild, the famous thief-taker, deposed, that Hawes sent for him and offered to become an evidence; and among other things told him of this robbery, and discovered the prisoner; that when he (Wild) took the prisoner he found the ring in his pocket; that he begged hard to have it again, which this deponent refused, from the consideration that it would be a good evidence against him.

Hawes the accomplice swore that he and the prisoner committed the robbery; that he returned the ring, as deposed by the prosecutor, and that in the space of a fortnight James and himself had committed eleven robberies together.

By way of defence the prisoner said, that being arrested for debt, his wife brought that ring to him while he was in prison, and that she received it of Hawes, who gave it her to let him lay with her: but the jury giving no credit to this assertion, brought him in guilty of the indictment, and he was sentenced to be hanged.

After condemnation, he gave the following account of himself.

I was

I Was born in St. Ann's, Westminster; my father was a nobleman's cook. He left me to shift for myself when I was very young. In about the twelfth year of my age I went to sea; and, being at Jamaica, I and many others were taken prisoners by the Spaniards; but one of the Spaniards, who was a house-painter, taking a fancy to me, carried me to New-Spain, and instructed me in his trade. I lived very well with this master; but, longing to see the place of my birth, and to talk in my own language, I returned to England: I was then about seventeen years old, and married a wife much younger than myself, at which her friends were so provoked, that she was turned out from her father's house, and I was obliged to go again to sea. In this voyage I was taken by the pirates, who put me on shore on some part of the Coast of America; from whence I travelled to Boston in New-England, and so to Maryland. After I had been three years abroad, I once more came back to my native country, where I found that my wife was married to another husband, she having heard that I was dead in America. I could not persuade her to leave her second husband, because she had two children by him; and this put me upon keeping company with other women.

I confess myself guilty of the fact I am charged with, and I deserve to die for it. The defence I made at my trial was false, for Hawes never gave my wife the stone ring to let him lie with her.

If I may judge of others by myself, I believe that the execution of malefactors has but little effect upon their old companions, or others, who have inured themselves to the like vicious course of life. For I have been often present at such a time, without feeling the least concern or uneasiness, or being any ways alarmed at the sight of death,

I acknow-

I acknowledge it with grief, that I was generally cruel to those I robbed, as in particular when I, Nat. Hawes, and Dick Jones, by the Lord Portland's Park-wall, beyond Uxbridge, attacked Mr. March's waggon, (which goes from the Bell in Warwick-lane, to Chiner, at Thame in Oxfordshire) there being one man and three women in the waggon, besides the waggoner. And when Hawes, and myself robbed a gentleman and a lady in a chaise, beyond Acton, for which I am now condemned. For when Hawes, by the gentleman's intreaty, had restored to him the stone-ring, which the gentleman had a particular value for, I turned my horse about, and swore, that I'd shoot him through the head, if he did not immediately give me the ring a second time. At another robbery I was in a violent passion with my comrade, for giving the travellers two shillings to cross the water. Being once at an inn at Harrow on the Hill, two ladies, and their footmen called in: We found upon enquiry, that they were travelling across the country to Mortlack. I and my companions waited for them about a mile on this side Oxford road, and attacked them as soon as they came up; and among other things we took away a whip, which one of the ladies was desirous to have returned; my comrades were willing enough to comply, but I obstinately refused. She then begged for a paper of snuff out of her silver box, that we had robbed her of, to which indeed I made no objection.

1. In August last I robbed two men on horseback, on Finchley-common, at nine o'clock in the evening.
 2. Some gentlemen going for Mortlack. 3. A man with a woman behind him near Tottenham turnpike. 4. A man and a woman on Finchley-Common. 5. A Quaker's coach, about four miles beyond Acton, in which were one man and three women, from whom I took a gold chain, four guineas, and eight shillings; on the 28th Day of the month:
 besides

besides which I committed four or five other robberies at the same time.

But whatever cruelty I might be guilty of, I never carried it so far as to commit murder. And once I behaved differently from my usual method; it was in robbing a man and woman betwixt Hampstead and London, and it was the only time that I ever attacked any body in that road. I took no more than a crown from 'em, and the woman being with child, I treated them so civilly, that, hearing I was a prisoner in Newgate, they came thither to return me thanks for it.

I thank God for taking me so soon off from sin, and giving me time for repentance. And whatever the world may say of my dying a shameful death, it will not at all affect my soul, if I am but happy in Heaven, while they remain among the clamours, cares and disquietudes of this world.

He was hanged at Tyburn, in the 30th year of his age, on the 23d of October, 1721.

The observation that this criminal makes, that "The execution of malefactors has but little effect upon their old companions," is an admirable warning to youth to steer clear of the first approaches of vice; since when the mind is once hardened by the commission of small crimes, the culprit goes on without remorse to the commission of greater, till his life and his vices are ended together, by a miserable and ignominious death at the gallows!—

The Trial of ARTHUR GRAY, *for a Bur-*
glary.

THE case of this young fellow made a great noise in the world at the time when it happened; and indeed if we consider the matter, it will appear a little extraordinary that he should go such lengths as he did for the gratification of his passion, and yet permit a defenceless woman to conquer him at last: but perhaps some persons may be apt to think this a proof that his love and veneration for the lady, was even superior to the lust of possessing her.

In the month of December, 1721, *Arthur Gray* was indicted for breaking and entering the dwelling house of *George Baillie, Esq.* in the parish of *St. James's Westminster*, with an intent to ravish, and against her will, carnally know *Grizel*, the wife of *Alexander Murray*, in the night of the 30th of October preceeding: to which indictment he pleaded *Not Guilty*.

The council for the prosecutor, in opening the nature of the indictment, observed, that the breaking and entering a dwelling house in the night, with an intent to commit a felony, was burglary, whether the felony was committed or not.

The first evidence was *Mrs. Murray*, who being sworn, deposed, that on the 14th of October, about four o'clock in the morning, the prisoner entered her room, with a pistol in one hand, and a drawn sword in the other; and coming to her bed side, threatened to kill her if she made the least noise: that she asked him what he meant by coming into her chamber in
such

Engraved for the Tyburn Chronicle.



*Arthur Gray the Footman, threatening the
Life of M^{rs} Murray. —*

such a manner ; to which he answered, “ Madam, I
 “ mean to ravish you, for I have entertained a violent
 “ passion for you a long time ; but as there is so
 “ great a difference between your fortune and mine,
 “ I despair of enjoying my wishes by any means but
 “ force.”

Hereupon Mrs. Murray endeavoured to reason him
 out of the commission of the intended crime ; but
 still persisting in it, he laid the sword upon the bol-
 ster, and endeavoured to pull down the bed-cloaths,
 on which she begged him to delay till she had spoke
 with him farther, and asked him if nothing would
 prevail with him to desist ; but he replied, “ No,—
 “ I have ventured my life for your sake already, and
 “ therefore am resolutely bent to go through with my
 “ design, let the consequence be what it will—All
 “ the rest of the family are asleep, and if I lose this
 “ opportunity, I can never expect another. Your mak-
 “ ing a noise will signify nothing—I must and will.”—
 Saying these words, he again attempted to take off
 the bed cloaths ; but Mrs. Murray suddenly pushing
 him against the wall, wrenched the pistol out of his
 hand, and rung the bell ; upon which the prisoner
 ran out on the room, and she followed him to the door,
 crying out murder.

The court asked Mrs. Murray how long the pri-
 soner was in her room ; and she said about three quar-
 ters of an hour ; for that on her calling out, her
 father and mother immediately came up, and then it
 wanted a quarter of five o'clock.

The prisoner asking the lady if a certain gentle-
 man, (whose name was not printed in the trial) never
 came into her chamber when all the rest of the family
 were in bed ; she answered in the negative ; and the
 court told the prisoner that if he had any question
 to ask, he ought to propose it to the court, and if
 it was proper, they would require an answer from
 the witness : they said, also, that the present ques-

tion was not at all proper—that the lady had given a positive answer to it, which, however, was more than she needed to have done.

The remainder of this trial, for the sake of perspicuity, we shall give in the very words of the deponents, as several of the questions and answers are very short, and could not be reduced to the narrative form, without obscuring the sense.

Prisoner. My lord, I shall ask nothing but what I think may do me some service, when I come to make my defence.—I beg your lordship would ask Mrs. Murray, if her chamber-door was constantly locked on nights?

Court. You hear the question, madam.

Mrs. Murray. It was always shut, but not always locked.

Prisoner. Did you never rise out of bed to lock it when —— has been in the room?

Court. You must not go on thus.

Mrs. Murray. I have told you already that —— never was in the room.

[Elizabeth Trimnel sworn.]

Elizabeth Trimnel. I waited on Mrs. Murray to bed, about one in the morning, and shut the door after me. But going by about three I found it open: I shut it again, and left it shut, and believe it was fast.

Prisoner. What kind of lock was it?

E. T. A brass spring lock.

Prisoner. Was there a key in it?

E. T. No; it opened and shut with a brass knob.

Prisoner. But don't you know that the lock was faulty, was difficult to be made fast, and would afterwards slip back and open of itself?

E. T. The spring indeed was bad.

Prisoner. And might not that be the occasion of the door's being open, when you came to it the second time?

E. T.

E. T. I can't say but it might; but I am pretty sure that I locked it fast the second time.

Prisoner. I suppose you thought you had made it as fast the first time.

E. T. I can't be so certain of that.

Prisoner. Don't you know that —— has taken leave of the ladies, and waited in a dark room, till the rest of the company were in-bed, and then gone into —— chamber, and staid there two or three hours?

Council. You will do yourself no service by this behaviour: you have been told that you ought to propose your questions to the Court.

[James Parks sworn.]

James Parks. I heard a noise about five o'clock in the morning, and thought there had been thieves in the house, and so I jumped out of bed, and run down stairs in my shirt; but finding nobody below, I went up again, and met my Lady Grizel Baillie, and Mrs. Murray, at the stairs-head; and Mrs. Murray said, "The rogue is just gone out of the room, and run down stairs," and my Lady Baillie told me, that Arthur had endeavoured to ravish her daughter Mrs. Murray; I went afterwards to look for the prisoner, and so I met Mr. Hayes: he shewed me a key, and asked me if I knew it. I said, "Yes;" and then said Hayes, "If you'll come along with me, I'll bring ye to the owner of it." I followed him into a room in his house, and, upon his bed, I found the prisoner lying without his hat and shoes. Thomas Hughs came in soon after me. I asked the prisoner, if he went into Mrs. Murray's chamber with an intent to lye with her? he said, yes. "And what posselt you to do it?" says I. Why, says he again, "I believe the devil posselt me." "What, was ye drunk?" says I. "No," says he, "I can't say that I was."

Prisoner. Did ——— never come to you early in the morning, and desire you to let him lie in your bed?

Parks. Go look!

Prisoner. My Lord, this evidence was so drunk that night, that he went out and vomited.

[Thomas Hughs sworn.]

Thomas Hughs. I got up at hearing the noise, and took a blunderbuss in my hand, as thinking some rogues were got into the house; but I was soon informed that the prisoner had made the disturbance, by going into Mrs. Murray's room with a sword and pistol. I went in search of him, and, between eight and nine in the morning, I found him upon Mr. Hayes's bed, with neither shoes nor hat. I heard him own that he went into Mrs. Murray's room, and that he was sorry for it, but I don't remember that he said he went in with an intent to ravish her, or that I heard Parks ask him on what account he went in.

Then the prisoner's confession before Justice Blagney was read, in which he acknowledged, that, "He
" opened and entered the chamber of Mrs. Murray,
" with a design to ravish her, and that he brought
" the sword and pistol to put her in fear, and oblige
" her to comply." And several of his letters were produced in court, in one of which, directed To the Honourable and most Christian Lady Bennyng, in Great Marlborough-street, he says, "I must
" acknowledge my fault, and pray forgiveness of
" God, and the lady of the family whom I have of-
" fended."

The Prisoner's defence.

Prisoner. I had been making merry abroad with some of my fellow-servants, and came home much disordered with liquor, and going up stairs to bed
without

without my shoes, (as I usually did) I thought I heard a noise of somebody in Mrs. Murray's room, upon which I went down and fetched up a sword and pistol, and Mrs. Murray's door standing ajar, I went in, and laying down my arms to look behind the bed, Mrs. Murray rung the bell and alarmed the family.

[John Vandercome sworn.]

John Vandercome. The prisoner and seven or eight more were merry-making at my house the night before the 14th of October: they drank four pints and a half of brandy, and four quarts of beer. Parks, Williams, and the prisoner went home together, between three and four in the morning, not quite drunk, but very mellow. Before they went away Parks went out and vomited, and I went to hold him, but he said, "Fye! don't hold me, for then they'll think I am fuddled, and I would not have them take notice of it."

[Jane Rushfield sworn.]

Jane Rushfield. I took notice that the cook was very drunk over night; but I had no talk with any of the others, and therefore can't say what condition they were in. During the half year that I lived with my Lady Baillie, I never knew Mrs. Murray's door to be locked fast at night, for I used to go every morning into her chamber to light a fire. The lock was very faulty, it was a brass spring lock, that was never used to be made fast with a key; for we had but one key to all the rooms in the house.

Prisoner. My Lord, by what has been sworn both by this witness and Elizabeth Trimnel, I think there is a probability that the door was open; at least there appears no proof of the contrary, and if it was open, I cannot be guilty of breaking into the room; my life depends upon this one circumstance, and therefore I humbly hope your lordship and the jury will take it into consideration.

All

All the witnesses for the prisoner gave him the character of a youth of a civil and modest behaviour.

The jury, after about an hour's consideration, brought in their verdict Guilty, and he received sentence of death.

After he had received sentence, he declared at the bar, that what he had insinuated at the time of his trial, concerning —— was intirely false and groundless, and that he had been advised to ask those questions by some who persuaded him that it would prove to his advantage.

He was afterwards reprieved.

The following ballad was written and printed on the occasion.

VIRTUE in Danger : Or, a Lamentable Story how a virtuous Lady had like to have been ravished by her Sister's Footman.

(To the Tune of The Children in the Wood.)

Written by a LADY.

NOW ponder well, ye ladies fair,
These words that I shall write;
I'll tell a tale shall make you stare,
Of a poor lady's fright.

She laid her down all in her bed,
And soon began to snore,
It never came into her head
To lock her Chamber-door.

A footman of her sister dear,
A sturdy Scot was he,
Without a sense of godly fear,
Bethought him wickedly.

Thought

Thought he, this lady lies alone,
 I like her comely face;
 It would most gallantly be done,
 Her body to embrace.

In order to this bold attempt.
 He ran up stairs apace;
 While she, poor lady, nothing dreamt,
 Or, dreamt it was *his Grace*.

The candle flaming in her eyes,
 Made her full soon awake:
 He scorned to do it by surprize,
 Or her a-sleeping take.

A sword he had, and hard by it,
 A thing appeared withal,
 Which we, for very modesty,
 A pistol chuse to call.

This pistol in one hand he took,
 And thus began to woo her:
 Oh! how this tender creature shook,
 When he presented to her.

Lady, quoth he, I must obtain,
 For I have loved thee long:
 Would you know how my heart you gain'd,
 You had it for a song.

Resolve to quench my present flame,
 Or you shall murder'd be;
 It was those pretty eyes, fair dame,
 That first have murder'd me.

The lady look'd with fear around,
 As in her bed she lay;

And

And though half dying in a swoon,
Thus to herself did say :

“ Who rashly judge, (it is a rule)
“ Do often judge amiss :
“ I thought this fellow was a fool ;
“ But there’s some sense in this,”

She then recover’d heart of grace,
And did to him reply,
“ Sure Arthur, you’ve forgot your place,
“ Or know not that ’tis I.

“ Do you consider who it is,
“ That you thus rudely treat ?
“ ’Tis not for scoundrel scrubs to wish
“ To taste their master’s meat.

“ Tut, Tut,” quoth he” I do not care ;”
And so pulled down the cloaths :
Uncover’d lay this lady fair,
From bubbies down to toes :

“ Oh ! Arthur, cover me (she said)
“ Or sure I shall get cold :
Which presently the rogue obeyed ;
He could not hear her scold.

He laid his sword close by her side ;
Her heart went pit-a-pat :
“ You’ve but one weapon left, (she cry’d)
“ Sure I can deal with that.”

She saw the looby frightened stand,
Out of the bed jump’d she,
Catch’d hold of his so furious hand
A fight it was to see !

His pistol-hand she held fast clos'd
 As she remembers well;
 But how the other was dispos'd
 There's none alive can tell.

The sword full to his heart she laid,
 But yet did not him slay;
 For when he saw the shining blade,
 God wot, he ran away.

When she was sure the knave was gone,
 Out of her father's hall,
 This virtuous lady straight began
 Most grievously to bawl.

In came Pawpaw, and Mawmaw dear,
 Who wonder'd to behold:

" Oot * Grisee, what a noise is here,
 " Why stond you in the cold?

" Mawmaw, she said, (and then she wept)

" I have a battle won;

" But if that I had soundly slept,

" My honour had been gone.

" A footman of my sister, he——

" A footman! cry'd Mawmaw,

" Dear daughter this must never be,

" And we not go to law."

This lady's fame shall ever last,
 And live in British song;
 For she was, like Lucretia, chaste,
 And eke was much more strong.

* N. B. The Lady's name was Grizel.

*The Trials of MARY BUN and ELIZABETH
MOB, for privately stealing.*

AT the sessions held at the Old Bailey in the month of December, 1721, *Mary Bun* and *Elizabeth Mob*, were indicted for stealing a linen bag, one guinea, and 3l. 19s. in silver, privately from the person of John Foster, on the 16th of October preceeding.

The prosecutor gave his evidence in the following words: “ Abuo^t ten at night, as I was going to my
“ inn (the Vine within Bishopsgate) I met the two
“ prisoners at the bar, and one of them—that little
“ fresh coloured wench—I think they caal her Naom
“ Mab—tuck huold of my airm, and asked me to
“ gee her a pint of wine; but I tould her I shaddent,
“ and so I went an: but it fennified nawing, for they
“ bouth followed me, and said, as how they wad gee
“ me a pint, an I waddent gee them one. Thuot I
“ to myself, Theas lasses are main good humoured
“ by their talk, I’ll ee’n try what they are maod an.
“ And so Sir, I went wi’ ’em to the Quean’s-Yead
“ Tavern, and presently they begun to be mortal
“ fond an me. That little Tuad Mab flung her airms
“ ruond my neck, and fell a hugging and kissing
“ an me like a devil, and would neads lay hould of
“ what I had, and I must ooan, that I did maok
“ free wee her in ther saom way; but, a murrain an
“ her, for a wheadling jead as she was, while she
“ pretended to be so woundy loving, she picked the
“ bag of money out of my pockut. I duddent see
“ the baggage taok it, but I see her gee it to Bun,
“ and Bun put it up her coats, and thear I thuot to
“ find

“ find it; but while I was fealing about Bun, Bun
 “ was too cunning for me, and handed it back to
 “ Mab. A Devil an ’em (thuot I) if theas be their
 “ tricks, and so I begun to maok a plaguy uproar
 “ in the house, and some of the foke bruot a con-
 “ stable, and he found the bag of money in Mab’s
 “ pockut; and here the bag is, and this is my mairk,
 “ J. for John, and F. for Foster. I can taok my
 “ my bible oath to the bag, and the money too, if
 “ nead be, for there is one shilling that is nowght,
 “ and that I can swear to.”

Mr. Larkin a constable, deposed, that being sent for to the Queen’s-Head Tavern about midnight, the prosecutor charged the prifoners with having picked his pocket of five pounds; that they both denied it, but that upon searching them he found the money in Elizabeth Mob’s pocket.

Another evidence swore, that being called into the room where the constable, the prosecutor and the prifoners were, he saw the constable take the bag of money from Mob.

Elizabeth Mob owned that she had the money, but said that the prosecutor gave it her of his own accord, to let him spit in her mouth.

Mary Bun in her defence said, that she was not in the room at the time the money was lost; for that Foster promised to give her a pint of wine to go out of the room while he and Betty Mob did their private concerns together.

The jury having heard the evidence, acquitted Bun, and found Mob guilty of the indictment, whereupon she received sentence of death: but pleading her belly, a jury of matrons were impannelled, who found her quick with child, and she was afterwards reprieved.

*Account of the Trials of MARY HARVEY
and ANNE PARKER, for privately stealing.*

AT the sessions held at the Old Bailey in December, 1721, *Mary Harvey*, and *Ann Parker* were indicted for stealing a silver watch, value 7l. privately, from the person of Daniel Cassel, on the 18th of November preceeding.

Cassel, who was a Frenchman, gave his evidence in the following words.

“ Afs I was going along von night, vary mary
“ vid de leequor, dese two vomans, (de preesonars at
“ de bar) fall in mine vay, and Mary Harvey ask me,
“ Ah, mine dear! how you do? vat vill you go vid
“ me to mine loshing?” “ Vid all mine art,” told I,
“ and so ve go togader, but ven ve come dare, she
“ no find de key of de door. Vel, vat sal ve do now?
“ Vy” told de oder Voman, Ann Parker, “ Me ave
“ got von loshing in de Petty-France, ve vill go dare:”
“ So me go vid ’em to dat loshing, up von pair of
“ stairs, and dare Mary Harvey and me tumball
“ upon de bed togader, and den she pick a mine vash
“ out of mine pockate, and give it to Parker, and
“ Parker run away vid de vash, and Harvey got off
“ de bed, and run away too.”

The court asking him if he did not run after them, he answered, no, and the reason being demanded, he proceeded as follows. “ Ah begare! dere vas de
“ raifong for dat—mine breefhes vere down about
“ mine foots—vell! den anoder voman come in and
“ ask a me, “ Vat vill you give for you vash again?”
“ Vy,” me says, “ me ave no more l’Argent, but me
“ give a you von pot of de beer.” She tell a me,
“ Dat

“ Dat is too leetel,” and so she go away again. Den
 “ I make de uproar, and de vashamans, and de
 “ coonestable come in, and dese two vomans at de
 “ bar come in after dem. “ Vell,” ask a de coonef-
 “ tauble, “ Vy make a you dis very much noise?”
 “ Vy, Maitre Coonestable,” me say, “ dese vomans
 “ ave steal a mine vash out of mine Pockate,” And
 “ den the coonestable and de vashamans take ve all
 “ tree to de coontaur.”

Mary Harvey, in her defence, said, that she met the prosecutor and a woman with him in Bishopsgate-Street; that he asked her to go and drink, and then took her to the house in Petty France. That he went up stairs with the other woman, but would not let her go up, so that she staid below in the kitchen; that in a little time he sent down a shilling, for her to fetch two pennyworth of rods, and when she came back, she found the constable and watchmen there: that one of the watchmen told her, that the prosecutor said he had lost his watch, but could not be positive who had got it.

Elizabeth Jenkins deposed, that she saw the prosecutor and Harvey, with another woman, known by the name of Squinting Abigail, go into the house in Petty France, and go up stairs together: that Ann Parker was only a servant in the house, and did not go up with them: that the prosecutor said that Harvey had picked his pocket of his watch, and given it to Parker: that this deponent knew Ann Parker to be a good honest woman, who had the misfortune to be married to a man who was acquainted with
 “ A pack of brimstone bitches.”

The jury acquitted Parker, and found Harvey guilty of single felony, whereupon she was sentenced to be transported.

Account of the Trials of JOHN JAMES, THOMAS PICKET, and HENRY AVERY, for a Robbery.

AT the sessions held at the Old Bailey in the month of March, 1721—2, *John James*, alias *Eaton*, alias *John the Grinder*, *Thomas Picket*, and *Henry Avery*, were indicted for assaulting *Elizabeth Knowles* on the highway, in the parish of *St. Bartholomew the Great*, putting her in fear, and taking from her a silk-pocket, a silver watch and chain, a snuff box, and other things, on the 17th of January preceeding.

The prosecutrix deposed, that on the day mentioned in the indictment, as she was going through *Long-Lane*, *West-Smithfield*, between six and seven in the evening, somebody came behind her, kicked her leg, and snatched her pocket, in which she had a watch, a snuff-box, and other things: that she was so surprized, that she did not observe who did it; but on her applying to *Jonathan Wild*, he took the prisoners, and got her the watch again.

Thomas Eades, alias *Eaves*, deposed, that the robbery was committed by himself and the three prisoners: that he endeavoured to throw the woman down, *Picket* snatched the pocket, and gave it to the *Grinder*: that he afterwards pawned the watch for a guinea, and they shared the money, but with regard to the snuff-box he knew nothing of it, and if there was one, they cheated him out of his share: that on hearing the watch was enquired after, he sent for *Mr. Wild*, and told him where he had pawned it.

Jonathan

Jonathan Wild gave in his deposition in the following words :

“ Upon —— Worrel’s information I got a war-
 “ rant against the Grinder for another robbery. I
 “ went to a house he frequented in Crown-Court in
 “ St. Giles’s. Tom Eaves happening to see me be-
 “ fore I could get in, he thrust the door to, and stood
 “ against it. I swore, if they would not open it, I’d
 “ fire through and clear the way directly. Upon
 “ that, I was let in, and, searching the house, I found
 “ the Grinder under the bed, and so secured him and
 “ Eaves *.—Says Eaves, I hope Mr. Wild, you have
 “ not me in your information?—No matter what I
 “ have in my information.—Why, Mr. Wild, I was
 “ never guilty of any thing but snatching a pocket.—
 “ Where?—In Long-Lane.—Was there a watch in
 “ it? yes, and a snuff-box. †—And who was with
 “ you?—Why the Grinder, and Picket, and Avery;
 “ and I can make myself an evidence.—Can you so?
 “ very well!—So I took care of my two chaps, and
 “ next day I went in quest of the other two, Picket
 “ and Avery, whom I knew to be old snatch-pockets,
 “ and it was not long before I met them in the street.
 “ So, says I, where are you two gentlemen going?
 “ they said, they had heard the Grinder was taken,
 “ and they were going to enquire how he came
 “ off.—Come off, says I, he is not come on yet, but
 “ you shall go and see—I’ll carry you to him. No,
 “ they said, they were satisfied with what I had told
 “ them.—But, says I, he’ll take it ill if you don’t go,
 “ and why should you be against it? Because, says
 “ Picket, as we have sometimes been in his compa-
 “ ny, and drank with him, may-be he may swear

* This disagrees with Eaves’s deposition, for he swore (not that he was taken in this manner by Wild, but) that he sent for Wild.

† This again contradicts Eaves, who swore he knew nothing of the snuff-box.

“ some robbery upon us. May be so too, says I, and
 “ for that very reason I must take you with me.
 “ They afterwards owned, that they were going to
 “ enquire if Eaves or the Grinder had impeached
 “ them, and, if they had found that neither of
 “ them had, they designed to turn evidences them-
 “ selves.”

The Grinder called several to his reputation. They gave his father a good character; but, as for the young Grinder, they owned that his credit was but indifferent. They added, however, that he sometimes followed the business he was brought up to, which was going about the street with a barrow for grinding knives.

Others appeared for Picket, and said he formerly drove a wheel-barrow with fruit, but had since been a hackney-coachman; that he was a civil, pains-taking fellow, and, if he was guilty, they believed he was but lately drawn in.

Many gave Avery an honest character. They said he was a Bricklayer by trade, was very careful and industrious, and always behaved well.

The jury acquitted Avery, and found the other two guilty; in consequence of which they received sentence of death.

John the Grinder was about eighteen years of age, when he was condemned. He greatly regretted his, being obliged to leave the world so soon. He said, that he had a very early inclination to vicious courses and so strong, that an uncommon severity was necessary to curb it. He therefore wished, that his father had been less indulgent, or had put him apprentice to some master, who would have kept a strict hand over him.

He would not be persuaded, that the fact he was condemned for was any more than a very trivial offence; for he said, that no body carried their all about them,

them, and could not be much detrimented by so small a loss as that of a few odd things, which they might have in their pockets; and he thought it hard to suffer death for such trifles, when some, whose offences were, in his opinion, much greater, had been reprieved.

Though, as he said, his parents were not harsh to him, yet they frequently advised him to consider whither he was hurrying. He declared, that they knew indeed of his lying out of nights, haunting infamous houses, and frequenting the company of lewd women; but were ignorant of his robberies: and that he thought it the greatest addition to his misfortunes, that his parents and sisters were so overwhelmed with grief, that they could not bear to visit him in prison.

By the short account Thomas Picket gave of himself, his life appears to be almost a parallel with that of the Grinder. For he only said, that he was about eighteen years old, born in St. Giles's, never put apprentice, nor married, was the only son of his father, who would never visit him in prison, but sent him his advice, "To prepare for a future state, and not flatter himself with vain expectations of life, for there were no hopes of a reprieve." He confessed, that he had followed a very wicked course of life for two years past, being much addicted to drunkenness and whoring, which he hoped to atone for by the sincerity of his repentance.

Account of the Trial of JOHN DICKS, for Sodomy.

AT the sessions held at the Old Bailey in the month of April, 1722, *John Dicks* was indicted for assaulting *John Meeson*, with an intent to commit the unnatural and detestable sin of sodomy.

John Meeson deposed, that on the day the first stone was laid for the building *St. Martin's Church*, as he was standing in the church-yard, the prisoner came up to him, and clapping him on the shoulder, said, "Honest Dyer! how fares it?" and after talking about the coffins that were dug up and lay in the church-yard, asked him to go to the alehouse and take a pot, which he at first refused, but the request being frequently made, he at length complied, and when the prisoner had made him almost fuddled, he kissed him, put his hand into his breeches, and taking his hand, put it into his own breeches.

He then took him to a cellar in the Strand, where they had one pint of beer, and *Meeson* having some goods to carry into Fleet-street, told the prisoner that if he would stay there he would return to him. Accordingly he went and delivered his goods, and returning to the cellar, found him waiting; but that not being private enough, they went to another alehouse in Chancery-Lane, where the prisoner treated this deponent with hot ale and gin, and then took him to the Golden-ball in Bond's-Stables, where they drank till *Meeson* was quite drunk and laid down to sleep; and then the prisoner unbuttoned his breeches, turned him on his face, and tried to enter his body; but whether he accomplished his design or not,

not, the deponent could not swear, as he was not sufficiently sensible to be certain. Meeson then fell asleep, and when he waked the prisoner was gone; but he found his breeches down, and said he was almost starved with cold.

William Rogers deposed, that he saw the prisoner and the boy come in together, and go into an apartment by themselves, and there being but a thin partition, he could plainly hear him kiss the boy, and call him his dear, his jewel, and his precious little rogue: that hereupon he sent in the ale-house boy, to see what they were about; who coming out, informed this deponent, and a woman who was in the same room, with what he had seen, and both of them looking through a slit in the partition, saw the prisoner in the act of sodomy, making several motions with his body, and this deponent at length observed him withdraw his yard from the boy's fundament.

Soon after this, he began to repeat his unnatural actions, upon which the woman, who had been peeping all the while, cried out, "I can look no longer,—I am ready to swoon,—He'll ruin the boy;"—and then this deponent and the woman rushed in and seized the prisoner, as he lay upon the boy's backside: they charged him with the fact; yet though they surprized him in so indecent a posture, he made the greatest protestations of his innocence, and said, "Well, if you will swear falsely against me, and take away my life, I cannot help it—but I have this to comfort me, that I am fit to die."

The alehouse-boy deposed, that when he went into the room, Meeson was lying on the bench, and the prisoner asked him, (this deponent) to sit down and drink, which he did, and then begun to kiss him, and thrust his hand by force into his breeches, upon which he went out, and told Mr. Rogers and the woman what had been done to him, and they

peeped through the partition, and afterwards went in and seized the prisoner.

While the prisoner stood at the bar upon his trial, he often turned up the whites of his eyes in a very devout manner. Though when he came to make his defence, he had nothing to say for himself, but that he was overtaken with liquor, and, if ever he offered any such thing to Meeson, it was more than he knew of.

The jury found him guilty, and the court sentenced him to stand in the pillory without Temple-bar, to suffer two years imprisonment, and to pay a fine of twenty marks.

Had he been indicted for sodomy, and found guilty, the punishment would have been Death; but this was an indictment, only for attempting to commit Sodomy.

The remarkable Trials of JOHN HAWKINS and GEORGE SIMPSON, who were convicted of robbing the Bristol Mail, with a full account of those Criminals.

AT the sessions held at the Old Bailey in the month of May, 1722, *John Hawkins* and *George Simpson* were indicted for assaulting *Thomas Green* on the highway, putting him in fear, and taking from him a black gelding value 10 l. the goods of *Charles Pratly*, two mails value 4 l. and fifty leather bags, value 5 l. the goods of our sovereign lord the King, on the 16th of April preceeding.

Hawkins prayed the court that all the King's witnesses might be examined apart, which was readily granted; but as the number of witnesses was considerable,

rable, and as the court had occasion to ask many questions, it will be impossible to throw these trials into the narrative form, and therefore we shall give the particulars in the very words of the witnesses.

Thomas Green, the post-boy. On Monday the 16th of April, about one in the morning, as I was riding by the Pyed-Horse, at Slough, and blowing my horn, I was overtaken by James Ladbroke, who was travelling the same way. We rode in company to Langley-Broom, where a man on a chesnut horse made up to us, and went off again. We rode through Colnebrook, and then perceived that two men followed us at a distance, and, on this side Longford, they came up to us, with handkerchiefs in their mouths, and their wigs and hats pulled forward over their faces. The foremost of them was on a chesnut horse; he held a pistol to my head, and said, "You must go along with me;" and then, taking hold of my horse's bridle, he led me down a narrow lane, and the other man brought Ladbroke after me in the same manner. Then they making us both dismount, he on the chesnut-horse said to me, "Are you the lad that swore against Child? * No," said, I "I have been post-boy but a very little while. "Have you ever been robbed yet," says he, "No," says I. "Why then you must pay beverage now, for "God damn my blood and 'ouns I'll be revenged upon "somebody for poor Child's sake." Then he cut Ladbroke's horse's bridle, and turned him adrift, and, that being done, he went off with the black gelding I rode upon. As soon as he was gone the other man tied our hands behind us, bound us back to back, and so fastened us to a tree in a ditch. Then he asked Ladbroke, what money he had about him? Ladbroke told him, he had but three shillings and

* Benjamin Child was convicted at Aylesbury, for robbing the Bristol-mail, and executed on Friday, March 9, 1721—2.

fixpence.

fixpence. He searched Ladbroke's pockets, and finding no more, he did not take that, nor any thing else from him, but left us bound, and went after his companion. Ladbroke and I, with a great deal of struggling, got from the tree, but could not get from one another; and so, tied back to back, we went to an inn in Longford, from whence the ostler came with us, and we went down the lane together, and there we found the gelding loose, and the bags cut open.—It was pretty dark, so that I cannot swear to the persons, or their horses, only I could perceive that one was a chestnut horse.

James Ladbroke. About one in the morning, I overtook the post-boy on this side Slough, and rode with him to Langley-broom, where we were met by a man, who, in a surly manner asked us, what was o'clock? and then wheeled off again. The post-boy and I kept together till we came to a little on this side Longford, when two men, with handkerchiefs in their mouths, and their hats and wigs pulled forward over their faces, rode up to us, and, taking our horses by the bridles, led us down the lane, and made us dismount; one of them turned my horse loose, and went away with the post-boy's gelding. Then the other tied our hands behind us, corded us back to back, and bound us both to a tree. Then he searched my pockets, but finding no more than three shillings and six-pence, he did not take that from me, but went off after his comrade.

Ralph Wilson. I have known John Hawkins these two years, but was not acquainted with Simpson till August last. We had often consulted together about robbing some mail, but did not agree upon what mail, till five days before the fact was committed, and then we resolved it should be the Bristol-Mail. Pursuant to this resolution, about eleven o'clock on Sunday morning, the 15th of April, we all three took horse at the Blue-boar-Inn in Southwark;

Hawkins

Hawkins on a tall bay or brown gelding, Simpson on a chefnut or sorrel mare, and I on a dapple grey. We crossed the water at Kew-ferry, dined at the Three-Pidgeons at Brentford, staid there till six in the evening, called at the Post-house at Hounslow, and loitered on the road till we came to the Post-house at Colnebrook, where we supped on horse-back; we enquired of the hostler what time the Bristol-mail would come by, and he told us between one and two in the morning.

We went thence, and came to Langley-broom about midnight, where we agreed to dispatch Simpson alone to meet the mail. He went, and we loitered about, waiting for his return, and about one o'clock, we saw the post-boy and a traveller with him, and Simpson following them. Then we met Simpson, and held a fresh consultation, in which at last it was agreed, that Simpson and I should follow the mail, and that Hawkins should watch at a distance, because, he being pretty bulky, would be more remarkable.

Then Hawkins and I changed horses, and I and Simpson followed the boy and the traveller through Colnebrook; and on this side of Longford, we rode up to them, and, taking hold of their horses bridles, led them down Harmonsworth-lane, where we made them dismount. I left Simpson to bind them, and took the boy's gelding and mail to the end of the lane, where I found Hawkins waiting, and where in a little time Simpson came to us.

We all rifled the bags, and carried several of them to Hounslow-heath, where we selected those of Bath and Bristol, and left the rest. Thence we rode through Kingston and Wandsworth, and, going down a bye road, we searched the bags, took out what we thought fit, most of which we put in two riding bags, and the rest into our pockets, and what we thought would be

be of no service to us we put into the Bristol and Bath bags again, and threw them over a hedge.

Then, taking our way through Camberwell, we came along Greenwich road, to the Hand-Inn, in Barnaby Street, between five and six on Monday morning. There we put up our horses, and drank a pint of burnt wine, and, after some time, took coach and drove to the Minories; where, to avoid suspicion, we parted and went by different ways to Frank Green's, at the Cock and George in the Minories.

We went into a room by ourselves, and, to take off all mistrust, we called for a candle, wax, paper, pen and ink, and then locking the door, we examined our prize. We reserved only the bank notes, and burnt all the other notes and the letters, with the candle which we set in the chimney; we found three 20 l. bank notes, one of 25 l. half of a 50 l. and two halves of 25 l. each, which we equally divided. I was apprehended on the Monday following, and made this same confession before Mr. Carteret, the Postmaster-general, and by my directions the prisoners were taken, at Mrs. Bowen's (a midwife's) in Green-arbor-court, in the Little Old-Bailey.

John Hammond. I am Ostler at the George (the Post-house) at Hounslow. The two prisoners and Wilson drank a mug at our door between seven and eight at night, and then went Colnebrook road.

Charles Cox. I am Tapster at the George (the Post-house) at Colnebrook. About eleven at night three men supped on horseback at our door, and then rode towards Slough. I don't remember their faces, but I took more notice of the horses they rode. One was a grey, another was a chesnut or sorrel, and the third a bay or brown.

Thomas Parker. I am Ostler at the Hand-Inn, in Barnaby-street. On Monday morning, the 16th of April, between five and six, Simpson and two other men came to our inn, and ordered me to put up their
horses

horses, and give them two penny-worth of beans a-piece. One was a grey horse, one a brown horse, and the other a chesnut-mare. I knew Simpson very well, for I was born within seven miles of him. I suspected him to be a highwayman, and told several people of it at that very time when he came with the other two.

Court. What reason had you to take notice of the day of the month?

Parker. I was a weekly servant, at 2s. per week; my master owed me seven weeks wages, which was 14 s. and he paid it me all together that very day, and therefore I kept an account of the time.

Richard Room, a constable. I went with Richard Mills, and others, to apprehend the prisoners at a midwife's house in Green-arbor-court, in the Little Old-Baily, between eight and nine at night. A woman came to the door, and asked, what we wanted? we bid her not be frightened, but light a candle, for we were come to search for stolen goods. The prisoners, who were above, over-heard us, and called out and said, "We are the men you want, but, God damn ye! the first that comes up is a dead man." We told them, we were provided for them; let them fire as soon as they would. Then Hawkins's brother came down foremost, and persuaded them to surrender quietly. I told them we were come upon Wilson's information. "Are you so," says the prisoner Hawkins, "why then we are dead men; but we had rather lose our lives, than save them in such a base and infamous manner as that villain Wilson has saved his."

Richard Mills. When the prisoners heard us ask for a candle to search the house, they called to us, and swore they were the men we wanted; but that they'd shoot the first man that offered to come up. We told them they might shoot as soon as they would, for we were as ready to shoot as they; upon which

Hawkins's brother came down first, and the two prisoners followed and surrendered themselves.

Mr. Bell, Comptroller of the Post-Office. When the Post-boy came in, after the mail was robbed, there were ten bags wanting of which the Bath and Bristol bags were two. But they were afterwards all brought in except those two, by a man who said he found them on Hounslow-heath.

The Prisoner's defence.

John Hawkins. Wilson is a man of so notorious an ill character, that he is not to be credited. He at this time stands impeached of several robberies on the highway, by one who is now in Newgate.

Court. There is no doubt but he is an ill man. His own evidence declares it. He confesses he was concerned with you in robbing the mail; but yet he is a legal witness. The wisdom of the legislature has found it necessary to admit of the evidence of an accomplice, without which it would sometimes be difficult to discover and convict the persons concerned in a robbery. You are not however tried upon his single testimony, but what he swears is corroborated in several circumstances by the evidence of others, who hitherto appear to be men of undoubted credit: but if you can bring witnesses to falsify what he or any other has sworn against you, the court is ready to hear them.

Hawkins. I shall prove him a very profane fellow, and such a one I think deserves no credit.

Sam. Cleaver. I happened to be in an alehouse, where Wilson came in and fell in discourse with a black, and called him Spawn of the Devil, and he used a great many other profane expressions, and drank a health to the Devil, and damnation to King George, and success to King James the Third (as he called

called the Pretender) and swore, that, if he was in the field, he would fight for him against King George.

Court. It's a little strange, that a man should make use of such dangerous expressions in public company.

Francis Green. I keep the Cock and George in the Minories. The prisoners and Wilson have been several times at my house within these two or three weeks past; but they always were in public. I don't remember that they ever locked themselves up in a private room. I never saw them open any letters, nor knew any thing of their calling for pen, ink, paper and wax.

Edward Carter. Hawkins frequented my house. He had a bay horse which stood at my stables for about five weeks. Wilson, coming out of Nottinghamshire, called upon me, and asked me if I could give him any intelligence where he might find Hawkins and Simpson; and then, pulling a paper out of his pocket, he said, "Here's a business of my own projecting, 'tis a scheme for robbing the mail."

Court. Sure he put great confidence in you, or he would hardly have trusted you with a secret of so dangerous a nature.

Carter. We were pretty well acquainted together.

Court. So it seems.

Carter. He used to drink at my house as another man might do. He owed me some money, and offered me a gown and petticoat for the debt.—And Hawkins owed me 8 l. The next morning after Wilson had enquired for the prisoner, Hawkins came to my house, and asked if Wilson had been there to enquire for him? I said, yes. And says Hawkins, "If he comes again, pray deny me to him, for I find he is an idle fellow, and has an ill character, and I don't desire to have any farther conversation with him." When Wilson was in the Compter I went to see him, and talking about the prisoners,

he said, " I am sorry that I have wrong'd Simpson,
 " but I'll hang that Rogue Hawkins, if it is possible,
 " because his brother has impeached me."

Henry Hunt. I have known Hawkins seven or eight years, and I believe him to be a very honest man.

Court. Why do you believe so?

Hunt. Because he paid me very honestly.

Court. What business do you follow?

Hunt. I am a Stock-jobber. He has dealt with me in South-Sea and other Bubbles. He got 300 l. by Bubbling.—I sold him in particular two River Douglass Bubbles for 20 l. and I have lent him ten, twenty and thirty guineas at a time, all which he paid me again very honourably.—His brother Mat kept a coffee-house in St. Martin's-lane.

Thomas Palmer. I keep an ale-house in Well-close-square, I have known Hawkins many years. He was born at Staines. I went to see him when he was in prison; and while I was with him there, two persons like countrymen came in, and somebody said, " That's " Hawkins!" upon which the two persons took two candles, and went up to Hawkins, and looked at him, but said they did not know him.

Court. Who were those persons? were they any of the witnesses?

Palmer. I don't know who they were.

Court. Then to what purpose have you told this story?

Palmer. I know thus far, that Hawkins followed business, which he might have got an honest livelihood by, for he was a trader to France and Holland in wine and brandy.

—— Cheny. I sold Hawkins several watch-cases, and other goods, for which he paid me very honestly. He told me he was going to Flanders, upon which I sent a letter by him to the Emperor's watch-maker,

maker, and I believe he carried it, because I received an answer.

Others deposed, that a few years ago he was a livery servant to Sir Dennis Dutry, where he bore an honest character, and that they had often trusted him, and had dealings with him, and never found that he wronged them in any thing.

Hawkins. I have shewn that I was in a way of trade that I could live by, and therefore I had no occasion to rob for a maintenance; Wilson lies under a great temptation to swear our lives away; for besides the saving of his own life, and the reward given by the government for convicting highwaymen, there was 200 l. promised for each person convicted of robbing the mail.

Court. He might have claimed the reward, if he had come in voluntarily; but, as he was first apprehended, he has no title to it.

Hawkins. I own I have rid out with him several times, and particularly on Sunday the 15th of April, (the day before the mail was robbed) when I took horse with him and Simpson, in order to visit my mother at Staines. But, when we came to Hounslow, Wilson told us, he must go and see a friend at Windsor, and, if we would not go with him, we might go to the devil. I was resolved not to go, and so I parted with them, and whether Simpson went with him or not, I cannot say, but I went to my mother's, and came back to London the same night, and put up my horse at William Fuller's in Bedford-bury, Covent-garden, where I staid 'till next morning.

Court, to Fuller. By what token do you remember that it was the 15th of April?

Fuller. By a very good token: for he owed me a sum of money for horse-hire, and on Tuesday, the 10th of April, he called upon me, and paid me in full, and I gave him a receipt; and I very well remember

remember that he lay at my house on the Sunday night following.

Court. Have you that receipt about you?

Fuller. Yes—Here it is—[Reads] “ April the
“ 10th, 1722. Received of Mr. John Hawkins the
“ sum of one pound ten shillings in full of all accompts,
“ per me William Fuller.”

Court. Do you keep any book in which you enter what money you receive and pay.

Fuller. Yes.

Court. And did you enter this money in that book at the same time.

Fuller. Yes.

Court. Is the book here?

Fuller. No, I forgot to bring it with me; but I remember, when I read the advertisement in the Gazette of the mail's being robbed, I compared my books and this receipt together, and found they agreed.

Court. Hand up that receipt hither — who wrote this?

Fuller. Hawkins wrote the body of it, and I signed it.

Court. Did you see him write it.

Fuller. Yes.

Court. And how long was it after he wrote it, before you signed it?

Fuller. I signed it immediately without going from the table.

Court. How many standishes do you keep in your house?

Fuller. Standishes!

Court. Aye, standishes—'Tis a plain question.

Fuller. My Lord, but one, and that's enough for the little writing we have to do.

Court. Then you signed the receipt with the same ink that Hawkins wrote the body of it with.

Fuller. For certain.

Court.

Court. Officer! hand this receipt to the jury.—
Gentlemen, you'll see that the body of the note is
writ with one kind of ink, and the name at the bot-
tom with another, very different; and yet this wit-
ness has sworn they were both written with the
same ink, and one immediately after the other.—
You will judge what credit is to be given to his evi-
dence.

George Simpson. Wilson was impeached seven
or eight months ago for several robberies on the
highway, and was sure of being hanged, if ever he
should be taken, except he could escape by turning
evidence. So that, when he was apprehended, he
impeached us of what we are innocent of, only to
save his own life, and get the reward promised in
the Gazette.

Anthony Dowdell. Between two and three years
ago Simpson was under butler to my Lord Castle-
main, and was trusted with the care of all the plate
for about a year and a half. He bore a good
character in that place, and afterwards went to live
with Mr. Green.

Mr. Green. He served me honestly as a footman
for four or five months, but I believe he has not
been in any gentleman's service since he left mine,
which is about nine months ago, because no body has
since applied to me for his character.

— Grubshaw, a fruiterer. When he was out of
place he used to be at my house, and assist my clerk
in getting in money, and I never found but he behav-
ed himself honestly.

Samuel Poole. He has been sometimes with me,
and had opportunities of robbing me of things which
I could not have missed, but I never found he
wronged me in the least.

Court. That may be, for you say, if he had, you
could not have missed your goods.

James

James Gibson. He was born at Putney, and when he was a child removed from thence with his parents to Spalding in Lincolnshire. He was some time sheriff's bailiff, and kept an inn in Lincoln; but failing there, about two years and a half ago, he hired himself under butler to my Lord Castlemain, from whom he went to live with Mr. Green. In both these places he bore the character of an honest servant.

Court. Both he and Hawkins appear dressed a little above the quality of servants*.

Hawkins. My witnesses have proved that after I left service, I got money in the stocks, and dealt in wine and brandy.

Simpson. Since I came from service, I have lived with my friends in the country, who were very well to pass. My sister's husband, Richard Elliot, dying at Bawtry in Yorkshire, and leaving four children, I went thither to assist her in getting in the debts. After which I went to another sister (Rebecca Wallet) at Sutton, from whence I came up to London about eight weeks ago.

This was confirmed by Rebecca Wallet.

The prisoners having no more to offer, the Lord Chief Baron Montague proceeded to sum up the evidence; but before he had finished, he was interrupted by an unexpected occurrence.

A person was then taking notes of the proceedings, and his account of this occurrence is as follows; "My ink, as it happened, was very bad, being thick at bottom, and thin and waterish at top; so that according as I dipped my pen, the writing appeared very pale or pretty black.

"Now, just as the court was remarking on the difference of the ink in Fuller's receipt; a gentleman

* They both appeared in fair tye wigs and ruffles. Simpson wore a genteel suit of light cloth, and Hawkins a silk nightgown.

“ who stood by me, perceiving something of the same
 “ kind in my writing, desired to look upon my notes
 “ for a minute. As I was not aware of any ill con-
 “ sequence, I let him take the book out of my hand :
 “ when presently shewing it to his friend, See here,
 “ what difference there is in the colour of the same
 “ ink ! his friend took it and shewed it to another.
 “ Uneasy at this I spoke to them to return me my
 “ book. They begged my pardon, and said I should
 “ have it in a minute ; but this answer was no sooner
 “ given, than a curiosity suddenly entered one of
 “ the jurymen who sat just by, and he too begged a
 “ sight of the book ; which, notwithstanding my im-
 “ portunity, was immediately handed to him. He
 “ viewed it and gave it to the next, and so it passed
 “ from one to the other, ’till the judge perceiving
 “ them very busy, called to them.—Gentlemen,
 “ what are you doing ? what book is that ? They
 “ told him it was the writer’s book, and they were ob-
 “ serving how the same ink appeared pale in one
 “ place, and black in another. You ought not, gen-
 “ tlemen, says he, to take notice of any thing, but
 “ what is produced in evidence. And, then, turning
 “ to me, demanded what I meant by shewing that
 “ to the jury. I answered, that I could not fix upon
 “ the persons, for the gentlemen near me were
 “ all strangers to me, and I was far from imagining I
 “ should have any such occasion for taking particular
 “ notice of them.—His lordship then re-assumed his
 “ charge to the jury, which, being ended, they with-
 “ drew to consider of their verdict.”

They staid about an hour, and then returning
 into court, the Fore-man said, they were under some
 difficulty in relation to Fuller’s receipt ; for though
 the writing appeared of two colours, they were
 doubtful if that was sufficient to prove it spurious.
 The court replied, Though the receipt had really
 been drawn by Hawkins, and signed by Fuller on

the day it is dated, yet you will find it but of little weight, when you consider how the evidence stands. For

Green (the post-boy) swears, that on Monday, April, 16, about one in the morning, a man on a chesnut-horse met him and Ladbroke at Langly-Broom, and rode off again. That near Long-ford two men (one of them being on a chesnut horse) stopt them, led them down a lane, and making them dismount, one of the men turned Ladbroke's horse loose, and went away with his (the post-boy's) Gelding, and then the other bound them to a tree.

Ladbroke swears the same, and in these particulars they perfectly agree with Wilson.

I need not, on this occasion, repeat what was sworn of the two prisoners and Wilson's taking horse at the Boar in Southwark, and riding to Hounslow together, because Hawkins himself owns, that he rode so far with them; I shall only observe, that Wilson and the Ostler at the Boar both swear, that one rode a grey horse, one a brown gelding, and the third a chesnut-mare.

Hawkins, I say, allows, that he kept them company to Hounslow; but then he says, he parted with them there, went to visit his mother at Staines, and returned to London that night, and lay at Fuller's house.

But Wilson swears, that they all three went together from the George at Colnebrook, where they supped on horse-back.

Cox, tapster at the George at Colnebrook, swears, that about 11 at night three men supped on horse-back at the door, and then rode towards Slough. In describing their horses, he agrees with Wilson and the Ostler in Southwark.

Wilson swears farther, that after they had robbed the mail, they came to town together, and put up
their

their horses at the Hand in Barnaby-street, between five and six on Monday morning.

Their coming together to that inn, at that time, and with such horses as Wilson and the other witnesses have described, is confirmed by Parker, the Ostler of that inn, and he gives a circumstance by which he remembers the day; for he says, on that very day his master paid him seven weeks wages.

Now what does Hawkins offer to invalidate the depositions of all these witnesses? why, nothing but the single testimony of Fuller.

Fuller swears, that Hawkins came to his house that Sunday night, and staid there till next morning; and he says, he remembers it was the 15th of April, because, on the Tuesday before, which was the 10th, he gave Hawkins a receipt for thirty shillings. "And here," says he, the receipt is. "Hawkins wrote the body of it, and I signed it immediately with the same ink."

This would better have passed for truth, if the colour of the ink had appeared all alike. But as one part differs so much from the other, there is certainly room for suspicion, though there may not be a full evidence of forgery.

But, supposing the receipt to be genuine, what would it prove? not that Hawkins was at Fuller's house on the night the mail was robbed; but only, that he and Fuller were together the Tuesday before, and that Fuller had some reason to remember, that the Sunday following was the 15th of April: this relates to his knowledge, but not to his veracity. And the question now is, whether he swears according, or contrary to his knowledge. You have his oath, (and his only) that Hawkins lay at his house that night. But it appears, by the oaths of several witnesses, that Hawkins was then elsewhere in company with Wilson and Simpson. These witnesses were examined a-part, and therefore their agreement in so many particulars,

lars, is a strong confirmation of what they swore : now nothing remains for you to consider in this case, but whether you have most reason to believe these or Fuller.

Then the jury went out again, and, in a short time, returned, and found both the prisoners guilty.

The verdict being recorded, Hawkins expressed himself to this purpose. I am altogether innocent of this robbery ; though I don't blame my country-men for their verdict, for their intentions were honourable, but they were over-ruled by a partial judge. I have been ill dealt by : My friend has been brow-beat, and hardly suffered to speak. I expect to die, but yet I would not change conditions with the villain that has saved his own life by swearing away mine, for I prefer death to a life saved in such an infamous manner. My blood lies upon his head, and some others.— I hope your lordship is not concerned in it.

Three pamphlets, relating to Hawkins and Simpson, were published in a short time after their execution ; the first by the Chaplain of Newgate, the next by T. Sharp, and the last by R. Wilson.—We shall make an abridgment of each, without omitting any thing material.

I. *The Ordinary of Newgate's Account.*

JOHN HAWKINS was twenty eight years of age ; born at Staines in Middlesex ; where his father, a sober man, but of no great substance, intended he should have been of the plaistering business ; but he, not relishing so mean a mechanic occupation, could not industriously settle to that, or any thing else of such a nature ; telling me, that he believed not many men had more greatness of spirit than himself ; but, that was so far from being a benefit to him, that it had occasioned his destruction. After he found that he could not subsist by flying from one project

project to another, he settled himself in the family of Sir Dennis Dutry, where, as butler, he lived without any exceptions taken, as to his demeanour in the family ; but, that he there gratified his natural inclinations, as to eating and drinking, and made that habitual, which was before in his constitution.* But an uneasiness happening in the family, which they fancied the butler was, in part, the occasion of †, he left that place, with a good character, as to his integrity. Having been instructed in the nature of trading (he said) to France and Flanders, in wines, brandies, &c. he joined with his brother, a captain of a vessel or sloop, in fetching those commodities from those places, and commonly paid the King's custom for them: that this way of life was very agreeable to him, but his gains were not superior to his losses, running certain hazards and accidents in those matters ; but, having a strong and violent inclination to arrive at great riches and splendor on a sudden, he left the uncertain way of dealing at sea, to deal (he said) in the South-Sea, and the bubbles, from which he had recourse to bubbling in another way, as some others beside have done, in which vicious courses he had success for a considerable time.

He much accused those who had villainously asserted, in the news-papers, that he and Simpson had acknowledged the fact before the justice of peace, together with above twenty other robberies. At the same time he shewed me an advertisement, which described the mail to be robbed by two men ; where-

* This habit of eating and drinking is the hardest thing in the world for a man to break himself of, and especially if he happens to have a natural inclination to it, and his constitution requires it.

† We are told just before, that he lived without any exceptions taken as to his demeanour.

as Wilson's information made them three in number.*—

At his trial, during the six hours it lasted, he behaved himself in a decent and becoming manner. When he found himself condemned, and well knew the consequence was certain death, he put on a deportment surprizingly odd and bold, arraigning the court and the jury † alternately, and discovering (as he fancied) several irregular proceedings at his trial.—

But though he could not at first be induced to allow, that the sentence passed upon him was agreeable to equity, declaring, that, had a certain person been faithful to him, the jury could never have found him guilty; and that the mildness of the judge was not very remarkable in this case: yet, after I had talked with him twice in private, I found those prejudices were of themselves fled from him; for he told me then, that he was perfectly easy, and satisfied to die, and had no ill-will towards any body; and that he expected to die some considerable time before the calamity came upon him, and when he was first apprehended;‡ but that some, who first understand the law, had thought him a very babe to let his life slip away, and that if he would but exert himself, life was as near to him as death, &c. † which discourses had at first wholly turned his mind to life, and the world.

Being told by a gentleman, that he ought to bear no malice towards Wilson, his friend and accuser, because he acted not out of ill-will to him, but to preserve his life; he answered, that life was

* Wilson swore, that himself and Simpson robbed the mail, having first left Hawkins to watch at a distance; which does not at all disagree with the advertisement.

† He reflected on the court only.

‡ It requires great penetration to discover the meaning of this

sweet, especially to those in their course of life, yet he himself would have died more deaths than one, rather than have betrayed his friend, and embrued his hands in the blood of his companion: however, he freely forgave him from the very bottom of his heart, and wished the creator would so forgive him.

As to his deportment, there could be no objection against it. 'Twas serious with sorrow, and observant with fear. But, as his death drew near, he appeared to be greatly more shocked than George Simpson. At the sacrament on Friday he changed countenance, when I told him we were to conclude the sacrament, prayers, and all by nine of the clock on Monday morning, being the day of execution. During his devotions he shed a great many tears, which none else did; which he also did at the sermon preached last before his death.

At the prayers, the morning that he suffered, though he always aimed at a settled and composed countenance, he yet appeared ruffled and somewhat terrified.

GEORGE SIMPSON, was about thirty-four years of age, born at Putney in Surry. He said that his father was a wine merchant, and had a considerable estate; and that though he was some time mean, yet he was born a gentleman. He added, that his father removing from Surry into Lincolnshire, did not so well bear up his head, yet he gave him a good education, and he understood something of the law. He also said, that some thought a sheriff's bailiff (which he was at Lincoln) an ungentle employment, but he thought a man might behave himself in it as became a gentleman, and sometimes where the business would not set off the man, the man has set off the business; and that he was ignorant of the art of racking men too severely for civility money. He told me besides, that, when he kept a publick-house

house at Lincoln, he permitted no irregularity to be committed there; but he believed he was at that time of day as well looked upon as those who were in higher quality and fortune, frequently turning away lewd men and women, who would willingly have transacted their lewdness under his roof. But, delighting, he said, too much in pleasure, though the diversions were innocent, yet his business decayed insensibly, and he was obliged to abscond, and soon fly the country. Afterwards he said, when he was servant to the Lord Castlemain, he could defy the world to alledge any thing to his prejudice.

He added, that when he left the Lord Castlemain's place, he needed not have again submitted to the meanness of such a station, but that the lowest life was to him more eligible, than the highest vicious one at that happy time. But, to prevent temptation, he afterwards served Mr. Green as a footman; yet was not easy in such a post, but aimed at some writing business, as to keep accompts, or the like. That he was assistant to Mr. Grubshaw, a Fruiterer, in collecting his debts; and to his [own, not Grubshaw's] sister Elliot, of Bawtry, in managing her affairs, after the decease of her husband, she being left with some small children.

He was perfectly composed and easy under his troubles, never shed a tear, never seemed terrified at the approach of death, but was constant and regular in his devotions, serious at the sacrament, and maintained the very same deportment to the last of his life. He said, that Wilson was compelled to end his own days, or shorten theirs; he had nothing to say against him; yet did believe, there was such a tie and obligation in oaths, especially taken at a * sacred time, that he might question, whether

* That is, the time when they agreed to commit a robbery.
even

even the good could excuse the breaking through them.

He said it was his unhappiness never to have lived with the person who was his wife; but, on the other hand, it was his good fortune not to have any children to bequeath to disgrace, and to the briars of a wretched world; he added, that yet, as her relations were persons of estate and account, he might have entertained good expectations after their decease, had he not made abortive his own prospects, and their intentions.

Three days before his execution, he told me he felt an uncommon inward composure of his mind, was intirely easy at the prospect of death, as he had deserved it, and had expected a turn of fortune a great while, he said, before it came upon him, desiring to receive the holy communion twice before he suffered, which I agreed to, and gave it him the Friday before he died, in the chapel, and on the day of execution in another more silent and quiet place.

— *At, and some time before their execution.*

John Hawkins, being told by a gentleman, that Wilson had owned that he and Hawkins, &c. were concerned in cutting out the antient woman's tongue, and throwing it over the hedge into the road, because she told the people in the robbed coach, that she knew one of the robbers; this prisoner's answer was that he never dealt in barbarous actions. I told him, I had received a letter from the widow of Butler Fox, who desired he would acquit Fox, if he and Simpson were alone concerned in that robbery, for which Fox died; he seemed inclined to it, but said, the benefiting that woman, would be harming another person, if he made any public declaration to the people. But, as for the robbing any nobleman's coach near Richmond, and taking a ring much valued, as

being a present from another person of quality, he absolutely denied it.

George Simpson said, that as a certain Non-juror had assured him, 'twas not necessary to confess any thing, he was resolved to confess nothing; but said, their robberies about London had been so numerous, that they were too tedious then to recount, nor were they of any signification to the world.

They were conveyed between nine and ten of the clock to execution. No one being allowed the privilege of a coach, they appeared in the carts with uncommon tokens of repentance, scarce ever raising their eyes from their books, to regard the great crowds about them, nor tarrying to drink quantities of liquor, as is usually done.

John Hawkins, desiring the spectators to be silent, said, " Christians! I am brought to this place of
" shame for my sins; I beg, and earnestly hope all
" Christians will join with me in prayer for the par-
" don of my crimes; I forgive all, and hope to be
" forgiven of all myself. I beg all here present will
" take warning by my wretched death, and avoid
" what led to it. Pray for me, blessed people! pray
" for my departing soul! Christ, receive me! Lord
" Jesus, come quickly." Being in some confusion, he was turned off, and died, not without prodigious difficulty and struggling; contrary to his friend, who was more composed before he died, and more easily lost, his breath.

II. *Mr. Sharp's Account of Hawkins and Simpson, abridged.*

THEY behaved, during their confinement, with a great deal of decency, and declared, that Butler Fox, who was executed at Croydon the last assizes, and [James Wright] the person who went in a shroud

throud to Tyburn, were innocent of the facts for which they suffered.

Had they not been apprehended, they would, as they declared, have put in practice the resolution they had formed of going into foreign service. They never were heard to reproach one another with their misfortunes, and freely confessed, they had lived loosely, but never acted barbarously.

Mr. Hawkins was a single man; but his companion was married to a woman whom he talked very affectionately of. He had not cohabited with her, since he lived irregularly.

Ivy-Lane,
May 21, 1722.

T. SHARP.

To this brief account the Editor adds the copies of two papers, which he says were delivered by Hawkins and Simpson at Tyburn; but, as we are well assured, that those papers are spurious, we shall take nothing from them.

III. *An Account of the Robberies committed by John Hawkins, George Simpson, and their Companions, written by Ralph Wilson; abridged.*

JOHN HAWKINS, at the time of his death, was about thirty * years old. His father was a farmer at Staines in Middlesex, very honest, but poor; and therefore could give his son but a slender education. At fourteen John waited on a gentleman, but soon left him to be a tapster's boy, at the Red-Lion at Brentford, where he continued till he got into another gentleman's service: but being of an unsettled temper, he seldom tarried long in a place. The last family he was in was Sir Dennis Dutry's, where he

* The Chaplain of Newgate says twenty-eight.

was butler, and might have lived happily ; for, being a handsome, creditable servant, he was approved of both by his master and lady. But the opinion he had of his own person made him too assuming, and he thought it a small fault to be out two or three nights a week at the gaming-tables. These are the nurseries of all our highwaymen. At these the young fellows, being stripped of all their money, are prepared for the most desperate enterprizes, and these were the ruin of Hawkins. By his repeated neglect of his master's business, the family was incensed against him, and he was turned away, not without a suspicion of having first been a confederate in robbing the house of a considerable value in plate. He acknowledged to me, that he had pawned an old-fashioned piece of Dutch plate, which Sir Dennis very much valued.

After his discharge he wholly attended the gaming-tables, till he was reduced to such necessity, that he wanted bread. This brought him to a resolution of relieving himself by plundering others, and in order thereto he mustered all his interest to procure a horse and a pair of pistols.

He was now twenty-four. His first expedition was to Hounslow-heath, where he stopt a coach, and robbed the passengers of about 11 l. with which he returned safe to London, and repairing immediately to the King's-Head at Temple-Bar, he threw it all off.

Thus he went on for some time by himself, losing at play what he got upon the road ; but, finding some difficulties in robbing alone, he chose for his companions, Ryley, Commerford, Reeves, and Leonard, an Irish captain ; with whom he committed several robberies on Hounslow and Balshot-heaths ; but though he sometimes acquired considerable prizes by such means, they did him but little service ; for he still had such an itching to gaming, that he could
never

never forbear till he had lost the last penny; so that he was often put to the pitiful shift of bilking an ordinary for a dinner.

Having followed this course about two years, Leonard was made a state prisoner, for being concerned in the Preston rebellion, and Hawkins and one Wooldridge, for attempting to rescue him, were apprehended by the King's Messengers, but in a short time were both discharged. A few days after this, Cummerford, Reeves and Ryley, were seized at Guildford; Hawkins had been with them, but he could not get a horse. The two former were executed, and Ryley transported, and the government took care of Leonard.*

I shall here say something of myself: I am now twenty two, I was educated at Kirkleatham in Cleveland, Yorkshire, at the school built there by Sir William Turner, formerly Lord-Mayor of London. At seventeen I was put clerk to Mr. Dixon of Lincoln's-Inn, an eminent practitioner in Chancery, and had been happy if I had followed his advice; but his business being very great, and my industry very little, we could not long agree, and so we parted.

Hawkins, being left by himself, attended the gaming-tables as much as ever, where it was my misfortune to be introduced by an acquaintance, purely out of curiosity; and a fatal one it was to me!—I might wonder the Westminster Magistrates do not suppress those places, but that I know they subsist under the protection of such powerful advocates! there is a yearly alliance betwixt them, [which generally expires about Christmas, when the advocates raise all their forces, and join some Christian companies of informing constables. And being

* He found himself involved in such difficulties, that he submitted to be transported.

thus prepared for some notable enterprize, their first attack is upon the three-penny gaming-tables, whence they drag away ten or a dozen needy pick-pockets. This alarms the governors of greater places, who dispatching their agents with presents to these formidable enemies of vice, all is hushed up, and the alliance renewed.

Hawkins having singled me out at one of these tables, we soon became cronies, and were seldom asunder, till he was apprehended on suspicion of robbing a coach in Monmouth-street, of which, though guilty, he was acquitted.

My mother at this time sent for me home to Whitby, where she lives. I staid with her a year, but being desirous of returning to London, I persuaded her to send me up to try the law once more. She (who always encouraged any thing in me that looked like business) agreed to it, and gave 100*l.* with me to Mr. Sandys in Grainge-Court. I had not been long with him, before my own infection of gaming broke out, which swept away both my money and cloaths. This extravagance making me unfit for a clerk, I left Mr. Sandys, and, meeting again with my old friend Hawkins, we renewed our acquaintance. I did not then certainly know the courses he followed, though as I found he had no support from his relations, I very much suspected him, for which reason I began again to withdraw myself from his company, for even at that time I abhorred the thoughts of villainy.

Hawkins had now engaged with a new gang, among which was one Pocock, who, being apprehended, impeached all the rest: this quickly dispersed them, and one Ralphson, to whom they had intrusted most of their stock, went off with it to Holland, by which means Hawkins was left without money or companions, for they had all forsaken the

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town except his brother Will, and James Wright. Will was taken on Pocock's information, and Wright was in a salivation. Hawkins himself skulked about town, not daring to appear, but in such houses as he could confide in, one of which I frequented, and there I first met him after this matter broke out. We soon became as familiar as ever, and, believing I would not betray him for the sake of the reward, he told me every thing that I have related concerning him and his companions, and other passages that I have omitted: as that, he was present when Colonel Floyer shot Wooldridge, * and, that he himself shot General Evan's footman, which he said happened thus; he stopped the General and another gentleman in a coach, the general and the gentleman both fired at him, upon which he shot directly into the coach, but missed them, and killed the servant who was behind it. He often lamented this misfortune, and, when he fell into company with a clergyman, would always be asking some casuistical questions on cases parallel to his own; but though he fancied this was no murder, because he had no design against the deceased, yet he was always told, that the design against the master made the person as guilty, as if it had been intended against the man who was killed.

I took so much pleasure in hearing Hawkins relate his pranks and robberies, that I grew very fond of his company. Wright, being now recovered, he and Hawkins fell to their old sport, and when they came home at night, I used to drink with them. Their first robbery after this re-union was in Richmond-Lane, upon the Earl of Burlington, and the Lord Bruce, from whom they took 20 l. two gold watches, and a saphire ring, for which his lordship

* Wooldridge was shot in the thigh with two slugs, he languished near a month, and then died,

offered

offered 100 l. to Jonathan Wild. Hawkins pretended he sold it for 6 l. and poor Wright thought that a good price, and gladly accepted of 3 l. for his snack though Hawkins then had the ring in his own possession, and afterwards sold it in Holland for 40 l.

James Wright was born of honest parents, and bred a Barber. He was one of the best temper, and greatest fidelity to his companions, I ever knew in a highwayman. I cannot say how his acquaintance begun with Hawkins, but they two, for about a month after Wright's salivation, went on very prosperously together, before I engaged with them.

About this time a good natured countryman lent me 10 l. this was a great novelty to me, who had been starving for some weeks ; notwithstanding which, I made all the haste I could to the tables, and lost it every farthing. This made me rage like a madman, and first rendered me capable of any impression from bad company. From the table I went to Hawkins and Wright, and having drank freely, Hawkins begun to talk about robbing, but said, a third was necessary, and asked me if I durst take a pistol ? I answered, " Yes, as well as any man, for the want " of money has made me ready for any thing." He, who was always glad of new companions, preferred very kindly to get me a horse against next night. I agreed, and so went to bed.

Next morning I recollected what had past over night, but resolved on nothing less than to execute what I had promised. Hawkins, however, was as good as his word, and in the evening we sat to drinking again : at a proper hour Hawkins told us all was ready, and I being then as hot as on the night before, and so in the same humour, made no objection, but went with them. We mounted about ten o'clock, and soon after robbed Sir David Dalrymple, near Winstanley's water works : they put me upon stopping the coach, to try how capable I was
of

of becoming a man of business. And, unhappily for me, I performed so well, that Hawkins never after chose to part with me.

We took from Sir David about 3 l. in money, a snuff-box, and a pocket-book, for which last Sir David offered 60 l. to Wild; but we returned it by a porter gratis; for we had no dealing with Wild, nor did he know either of us.

'Tis impossible to express the anxieties I laboured under next morning, when I considered I had engaged in such base actions, which, as I then thought, and have since found, bring nothing better than poverty and shame. No life is so gloomy as that of a robber! he's a stranger to peace of mind, to quiet slumber! and is made a property of by every villain who knows his circumstances. This is a Hell to one who has had any relish of a more generous way of living: but I was entered, and knew not how to retreat; for Hawkins, who before was all complaisance, became now my tyrant; he let me know, that I was as liable to be hanged as himself, and expressed a satisfaction that he had me under a hank. I have reason to believe, this pleasure of his arose from his having one more added to his company, to make use of when his occasions required. Some may think, I speak this to justify what I have done; but when they know how vilely his brother has acted that part, and that such a method of saving their own lives was concerted between them, they will be of another opinion. In a word, I led a dog's life, and, much against the grain, was obliged to take all in good part, for fear a quarrel should bring us all into trouble.

The next coach we robbed was Mr. Hide's, of Hackney; we took from him 10 l. and a watch; but missed 300 l. in bank notes, which Mr. Hide has since told me, he then had about him. We seldom failed of committing two or three robberies in a week, for a month together. We scarce ever went

above five miles out of town, and when we returned to it again, we attacked the coaches in the streets. One night in August, 1720, when all mankind were turned thieves, we robbed a coach in Chancery-Lane, another in Lincoln's-Inn-Fields, and in going off we met with my Lord Westmoreland, who had three footmen behind his coach: we had some difficulty in robbing his lordship, for the watch poured in upon us; but, at hearing a pistol fired over their heads, they retired as fast, and gave us an opportunity of escaping.

These robberies had put me in a good condition, if the pernicious itch of gaming had not been so prevalent upon me. Whatever moveables we got, I sold my share to Hawkins and Wright, and played away the money. They two having made up a cargo were determined for Holland; the goods were all in the hands of Hawkins, and ready to go off with, except a watch that was in pawn, and which Wright went to redeem. We had agreed to meet at the Queen's-Head on Tower-Hill, but Wright not returning so soon as was expected, we sent a messenger to see how the land lay, and he brought us word, that Wright was apprehended by Wild, to whom he had been betrayed by one of his own acquaintance. This alarmed us, and put us under a violent apprehension that Wright would impeach us, but it proved otherwise.

Will. Hawkins and Wright were now both prisoners. Will could not impeach us, because he was impeached himself. Wright indeed might have taken that advantage to have saved his own life; but he told Jack Hawkins's wife, that he would hurt nobody, and much less her husband, because of his children. How well this generosity was returned, will appear hereafter. Hawkins and I, to conceal ourselves, went to Oxford, and staid there a month; in which time he defaced some pictures in the gallery

lery over the Bodleian Library. The university offered 100 l. to any that would discover the person who did it; and a poor Taylor, who had distinguished himself for a Whig, was taken up, and imprisoned on suspicion, and narrowly escaped a whipping.

The sessions at the Old-Bailey being ended, Will. Hawkins was discharged, Pocock was hanged, and Wright reserved for Kingston assizes. Jack Hawkins, desirous to see his brother, told me he would go for London next day, and, that he was sorry he could not lend me money to go with him; but, that in two or three days he would send me 40 s. and so he left me with two dismal companions, poverty, and a bad conscience. In a little while he sent me 10 s. I owed six at my quarters, which I discharged, and then set out on foot for London, with the remainder. At my arrival, I understood that the two brothers were gone to Holland with all Wright's goods, to the value of 50 l. and had left him starving in gaol.

About the end of October they both returned to London, where I joined with them, and we went on together 'till Christmas. I then became of age, and was in possession of a small estate my father left me, which I sold for 350 l. But I soon lost it at play, except what I lent to Jack and Will to buy horses, which I have reason to remember, because they never repaid me.

And we fell to business industriously, though we often left Will behind us, as a lazy coward. This fellow in company is the most flustering rascal I ever knew. No man is more forward to strike another, because he confides in his strength; but none was so backward on the road, which proceeded not from a principle of honesty, but fear: for this, and other good causes, we frequently suspended him, till by his good behaviour he obtained a re-admission.

One night Jack and I took a ride to Hapmstead, and, being elevated with wine, resolved, as we returned, to rob the first coach we met. It happened that, about a hundred yards on this side Fig-Lane, we met a chariot with two gentlemen in it. As soon as they passed us, we muffled up with cape and handkerchief, and overtook them at the end of Fig-Lane. The coachman stopt at the first word, and down went the sashes; I was on one side, and Jack on the other. The gentlemen fired both at once; one of them lodged three slugs in Hawkins's shoulder, but the other missed me. They were certainly brave men, and yet I thought their hasty firing was a sign of fear. Had they suffered us to have come nearer they might have shattered us to pieces. However, we thought it best to move off, to prevent murder on both sides.

This action was followed by such bad weather, that we could do nothing, and, when fair weather came, our horses heads were so swelled, we could not get them out of the stable; * and so we agreed to rob on foot in Hyde Park. The first coach we attempted there was Mr. Green the Brewer's; but the coachman whipped his horses, and left us. However, I shot one of his horses, and endeavouring to fire again, I shot myself through the hand, which made my retreat very difficult, I having the wall to get over.

Being thus disabled, I had leisure to reflect on my deplorable condition, what I was once, and what then! I was soon convinced, that vengeance would one day overtake us, and such a course of life be finished with scandal at Tyburn. These reflections brought me to a resolution of leaving at once the town, and my follies; pursuant to which, I borrowed

* He means that so much money was owing for the keeping of the horses.

some money of a friend, took my horse out of the stable, and set forward for Yorkshire, Feb. 1, 1721.

I cannot express my satisfaction in this retreat; how I detested my late vices, and how sincerely I resolved never to relapse, let my fortune be what it would. Thus prepared for an honest life, I arrived at Whitby, where I was well received. In a few days I fell into my mother's business, which is considerable, and followed it diligently, till the succeeding August, when one day I was sent for to a publick-house, where, to my great surprize, I found my old friend John Hawkins, and his new companion George Simpson. After the usual salutations, Hawkins and I walked out together. I soon found that things looked but poorly on my side; he told me, they had but 40 s. between them. I asked him why, when they were so ill provided, they took so long a journey, to a place where they could have no assistance? at this, he swore and raged like fury, and told me, that I had been like other men, and was now as liable to suffer as any body; for his brother had impeached me, and all the rest of his companions, and I should be fetched away in a few days. This startled me so much, that I agreed to go with them. I bought Simpson's part of some goods they had brought down, which came to 20 l. and lent Hawkins twenty more. We all bought horses, and so came to London. Then I found that Hawkins had deceived me, for I was not impeached, nor was his brother in custody. By this may be seen the envy of such men towards their companions who desert their villainies, and betake themselves to an honest life.

However, it was not long before Will Hawkins was in earnest taken, by the servants of Sir Edward Lawrence, whom he and Butler Fox had robbed in the Huntingdon coach. Will impeached every body that had been concerned with him, and me among the rest,

rest, though none but Fox and Wright were apprehended. Wright was in Newgate when I left London. He was removed to Kingston at last summer assizes, tried there and acquitted; and, having obtained his liberty, fell into an honest employment, which he followed till Will Hawkins impeached him. He was convicted (and was really guilty) of a street robbery, done about two years ago, and hanged on the 22d of December last. If I had been taken, I should have suffered the same day, which, being my birth-day, makes me remember it. And thus was poor Wright's generosity repaid: he saved Hawkins to be hanged himself.

Butler Fox was a Porter in Milk-Street; he had a wife and three children. His acquaintance with Will Hawkins begun at Carter's house, by London-Wall, a nest for high-waymen! Fox appeared on his trial to have a good reputation, though he was certainly guilty of the two robberies he was acquitted of at the Old-Bailey, and I am satisfied he was never guilty of more.

But, upon his being acquitted of these, Will Hawkins impeached him of robbing Colonel Hamilton, and at the trial swore, that himself and Fox committed that robbery, though neither of them were concerned in it; for it was done by Jack Hawkins and George Simpson, and no other person; and they the same night informed Will of all the particulars. This I had from Jack himself, and I have often heard him exclaim against Will, for swearing Fox into this robbery: and, what convinces me that Jack spoke the truth is, that, when Will at the trial was asked, What became of the gun they took from the Colonel? he answered, that they threw it away, just after the robbery. Now, I know this to be false, for I had that very gun in my hand last Christmas.—Let me add, that the Colonel's coachman had good eyes,

eyes, when he could swear to a man he had never seen before.

All this time we played least in fight: our most convenient house was by London-Wall; our landlord knew all our circumstances, and found his account in that knowledge; for we seldom committed a robbery, but he had his snack by way of reckoning. As he kept a livery stable, we had an opportunity of riding out at all hours, so that we harried most of the morning stage-coaches in England. One morning we robbed the Worcester, the Gloucester, the Cirencester, the Bristol, and the Oxford coaches all together. Next morning the Chichester and Ipswich, and perhaps the third morning the Portsmouth coach.—We were constant customers to the Bury coach. I think we touched it ten times. And for any of these we seldom rode farther than the Stone's-end. When we met with any portmantous, we carried them to our old cock Carter, and ransacked them. 'Tis pity but this man, as he partook of our prosperity, should have a snack of our adversity, and at least be sent abroad for better education; he has ruined many a young fellow, by exciting him to actions that lead to the gallows.

Our evening enterprizes were commonly between Richmond, Hackney, Hampstead or Bow, and London; and often behind Buckingham-Wall. We committed innumerable robberies with great success, and might, perhaps, have continued much longer in that unhappy way, if we had not meddled with the mails.

GEORGE SIMPSON was about twenty eight * when he died. He was born at Putney in Surry, and brought up at Bowre in Lincolnshire; he had no education, and but poor natural parts: he was

* The Ordinary's Account says 34.

never capable of designing, but, when any thing was contrived for him, no one was more speedy, or bold in the execution; for he was equally brisk and stout. He had been bailiff of a hundred in Lincolnshire, but, for some misdemeanor, flying the country, he came to London, and served the Lord Castlemain and other gentlemen, in quality of a footman. But, discontented with that condition of life, and becoming acquainted with Jack Hawkins, he commenced Collector on the highway.

He and Hawkins robbed Richard West, Esq. behind Buckingham-House, of a gold watch, and other things of a considerable value, for which (though in vain) a large reward was offered.

One time, as we were making up to the Portsmouth coach, a gentleman fired at us before we spoke to the coachman. I can't blame him, for our passing the coach, and immediately returning, was a plain indication of what we aimed at. We were treated in the like manner in attempting a mourning coach, but with worse luck! for my horse received a wound, of which he died. One thing I thought was remarkable enough, and that was, our meeting Mr. Green and his lady behind Buckingham-Wall, and robbing them; because I remember we had once before attacked the same coach, but being both on foot, the coachman drove away from us, upon which I told him, we should have the luck to meet him again when we were mounted.

Thus we went on till the beginning of April last, when we began to talk of our old design of robbing the mails. This design was first concerted with our landlord Carter; he proposed for us to begin with the Harwich mail, but that being as uncertain as the wind, we could not agree to wait for it. At last, we pitched upon the Bristol mail, and prepared every thing for that purpose. I endeavoured to hinder this attempt; I told them our circumstances were

were such, that of necessity we were closely attached to one another's interest ; for our being all impeached together would prevent any one designing person among us from betraying the other two ; but that this union would be broke, when a promise of the King's pardon, with a reward as usual, should be published after such a robbery ; and, that the Post-Office was indefatigable in searching after mail-robbers ; so that we should get nothing by it but a gibbet.

Thus I reasoned against myself, for nothing but this action could have set me at liberty ; and happy it was for me, that my advice was rejected.

On Sunday, April 16, we set out, and next morning took the mail ; and again, on Wednesday morning, we robbed it a second time, to get the half of some bank notes, the other half of which we had taken the first time.

On Monday, April 23, I went after dinner to see my horse in Fenchurch-street ; and from thence, an over-ruling fate led me to Carter's, where I found two or three men, whose looks I did not like, which made me withdraw abruptly : and passing through some bye allies, I got undiscovered into Moorgate Coffee-House.—This house I had now and then used for above two years past ; because, as it was frequented by sober company, a highwayman might the better appear there without suspicion. I was never much known there, for I often changed my dress, and was generally reserved. But, at this time, contrary to my usual custom, I fell into a set of company, among whom was one who appeared to be a Quaker ; he told me, there was great enquiry made after the robbers of the Bristol mail ; and, that some were even then searching for them in the neighbourhood. This confirming the suspicion I had of the people I saw at Carter's, I paid for my gill, left the Coffee-House, and took a turn in Bedlam. The me-

lancholy objects I saw there filled me with a thorough sense of my own worse condition. Experience had taught me, that poverty, shame and destruction, would sooner or later, attend such a course of life; and, recollecting several passages that happened since we robbed the mail, I had grounds to believe it was not safe to tarry in London. In particular, a certain person, who suspected us to be the men, and was more my friend than theirs, advised me to get off, or go directly to the Post-house, and surrender myself; adding, that, if I did not, he believed Simpson would; for that Simpson had asked him several previous questions tending to such a design: As, whether one who was already impeached, could be an evidence against another? whether a person who surrendered voluntarily would be detained? and if the 200 l. reward in the Gazette was intended for him who discovered, or him who apprehended? I put a right construction on the enquiries, and, to prevent the effects of them, determined to take a passage for Newcastle that very night, but rejected the latter part of my friend's advice.

With this resolution I went towards Moorgate Coffee-house again, and in my way, met the persons I had seen at Carter's. As soon as I passed them, they turned about and followed me, though not so closely but I got into the Coffee-house unperceived by them, for they went through Moorgate-arch. So that if I had returned by the same door I entered, I had escaped; but I unluckily (or rather luckily) went out at the fore door, where they stood watching in the street, and, as soon as they saw me, seized me. 'Tis my opinion Carter had given them some information, though they said they had no other suspicion of me, than seeing me at his house, which had been long suspected as a harbour for such men. They carried me to the Post-Office, where I was examined by the Post-master General, but he could

could make nothing of me that night. Next morning I was carried to him again, four or five times to as little purpose, for I still insisted that I knew nothing of the matter, though Mr. Carteret used the most prevailing arguments to bring me to a discovery. But just as he was preparing to commit me, a messenger came from William Hawkins, who was prisoner in the Gatehouse, to let them know, they need not give themselves any farther trouble, for he had impeached me, and would convict me. At first, I thought this an artifice to bring me to confession; but one of my friends assuring me there had been such a messenger, I begun to think it hard to be hanged by a man whose brother's life I had saved; and yet on the other hand I thought it was hard that Jack Hawkins should suffer for Will's roguery, and therefore I still refused to confess. All the Post-Officers were so pressing with me, that I believe they had as much regard to my welfare, as to their own interest: one of them called me aside, and shewed me the following letter.

“ Sir,
 “ **I** AM one of those persons who robbed the mails,
 “ which I am sorry for; and, to make amends,
 “ I will secure my two companions, as soon as may
 “ be. He whose hand this shall appear to be, will I
 “ hope be entitled to the reward, and his pardon.”

As I knew this to be Simpson's letter, I presently made a discovery; and I believe any man would have done the same. For this design against me dissolved our league of friendship. As for those who talk of the obligation of solemn oaths, I can assure them, there never were any such between us: though if there had been, it is certain, such oaths, which tend to the destruction of our country, are

so far from being binding, that it is a greater sin to keep, than to break them.

Hawkins and Simpson were apprehended on the Thursday following. Several of the witnesses who appeared for them at their trial were guilty of —, particularly one, who swore he sold Hawkins two River Douglasses; and another, who swore Hawkins was at his house the night the mail was robbed, and produced a spurious receipt to prove it. As for those who swore treason against me, I never saw them before that time, and, if the court had regarded what they said, I could easily have proved my principles were quite the reverse.

Though many, who have taken the way that I took, to save their lives, have at last been hanged themselves; yet I doubt not but Providence will enable me to make a better use of my deliverance. I wish that our story may be a sufficient caution to others, and then the end of my writing will be answered. They will find that we enjoyed none of those sweets which tempt men to unlawful actions; that Honesty is the best policy; and that men are brought to destruction by setting at nought the first causes of it, and not considering, how naturally they proceed from one thing to another, 'till at last they get to the end of a rope.

I have this comfort under my misfortunes, that I never was concerned where any murder was committed. My crimes indeed have been great enough, but yet they have been aggravated by flying reports.

The first, and which surprises me most, is, that several news-writers confidently asserted, that I and my companions were guilty of that horrid fact of cutting the woman's tongue out, because she happened to stand by, when we robbed the Bury coach, and that I acknowledged it. I affirm, I never acknowledged any such thing, and I can prove, by things taken from that coach in Whitechapel, the morning
this

this fact is said to be done, that we were not the men : for certainly, the persons to whom those things were restored, would not have been silent, if any such barbarity had been acted by us. Besides, it was given out, that this was done beyond Epping, which is ten miles beyond the place where we committed the robbery.

Another charge against me is, that I made it my common practice to ravish the ladies we robbed. I wonder what wise person invented so unlikely a story : for as we robbed within four or five miles of London, and either in the morning, or early in the evening, when we had full employment in dismounting the horsemen who were on the road, there could be no room for what is pretended. Besides, I defy any one to shew that such a thing has been done these five years, which is the longest time I have been in town.

It has farther been said, that I treated the gentlemen we robbed with cruelty. How false this is, I appeal to those very gentlemen, some of whom have been since to see me, and still remember the civility I shewed them.

As to a report, that I have impeached twenty-two persons, it deserves no farther notice than that it is false ; though it would have been but justice in me, to have impeached all I had been concerned with.

I hear that one Rogers has been committed to Aylesbury Jail on my information: in justice to the man, I declare I don't know him. Indeed, an inhabitant of High-Wickham, a person of a very odd aspect, came to me one morning after my commitment, and said, he had seized this Rogers, as answering the description of Hawkins : But hearing that Hawkins and Simpson were taken, he wanted to be informed, if I knew Rogers. I answered, No.

At this he looked a little chagrined, and, after a short pause, invited me to take a glass, which I
accepting,

accepting, we sat down together, and in a little time he resumed his discourse about Rogers. "This Rogers is certainly a highwayman," says he, "and I am assured that you know him. But I tell you positively," says I, "that I do not. "Pray," says he, "have not you run many dangers for a little money?" I answered, "Yes." Why now," says he, "what if a man should put you in the way of getting the half of 40 l. with ease and safety?" I replied, "I should make him very grateful returns. "Well then," rejoined my gentleman of the dismal countenance, "'Tis only rapping heartily against this Rogers, and the business is done." Finding by this, what the rascal drove at, I desired his absence, and forwarded him down stairs a little hastily. Thus it now and then happens, that some who pass for men of reputation, are discovered to be the greatest villains.

In fine, I am charged with being an athiest, a blasphemer, and an irreligious person. The two former of these I utterly disclaim, and appeal to all my acquaintance, if ever they heard me utter any atheistical or blasphemous expressions. But indeed, I cannot say much to the third, for while a man continues in a course of wickedness, it would be the greatest mockery to pretend to religion, since, to be truly religious he must lead a new life, which, with God's assistance, I am now resolved to do.

R. WILSON.

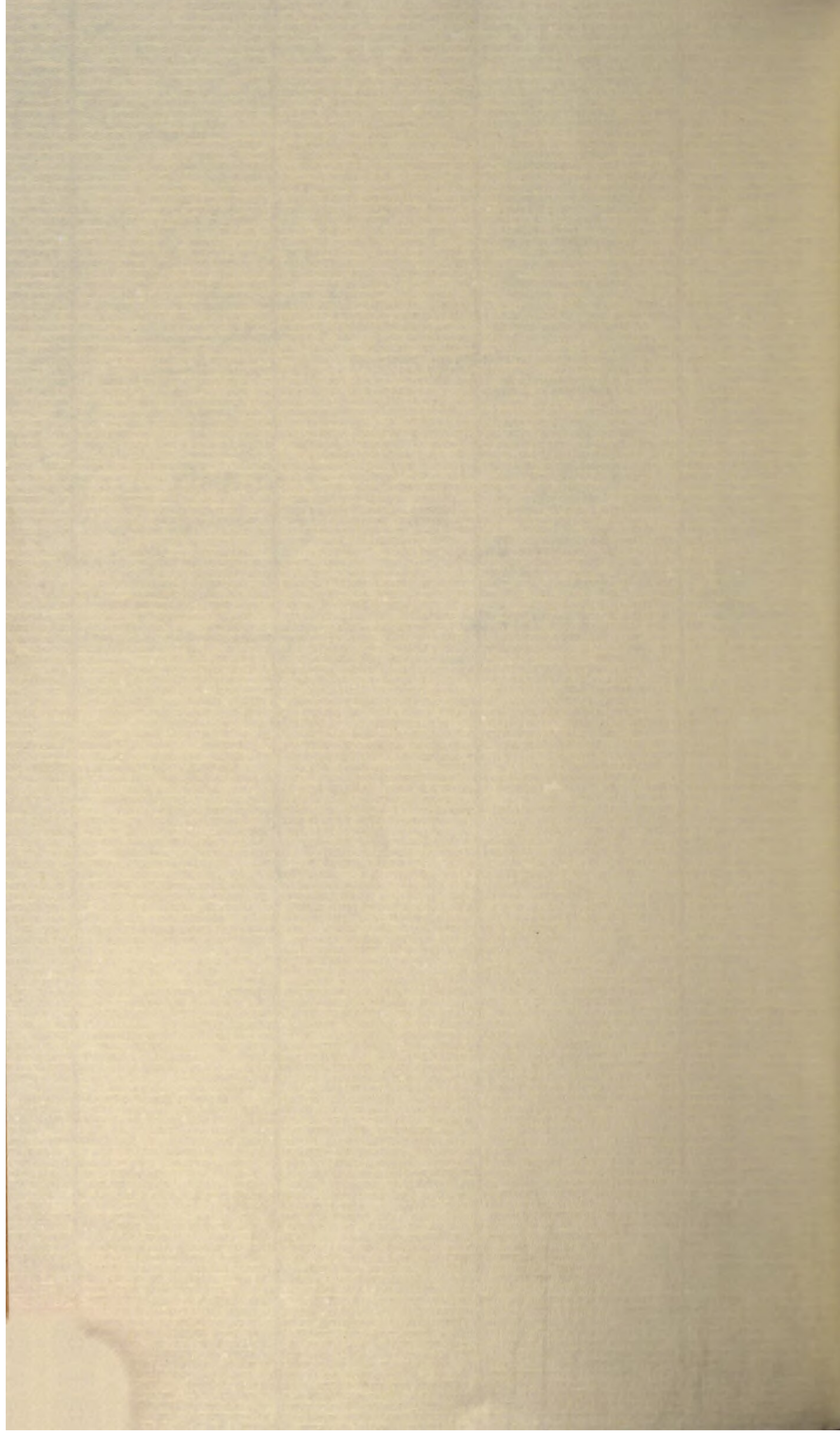
The same day that Hawkins and Simpson were hanged at Tyburn, their bodies were carried to Hounslow-heath, and there hung in irons, on a gibbet erected for that purpose.

End of V O L. I.

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The Tyburn Chronicle: Or, The Villainy Display'd In All Its Branches
Containing An Authentic Account Of The Lives, Adventures, Tryals,
Executions, and Last Dying Speeches of the Most Notorious Malefactors Of
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London [1768]

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